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United States Department of Agriculture,

BUREAU OF CHEMISTRY

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 6551-6600.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 23, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

6551. Adulteration and misbranding of santonin and calomel tablets, acetanilid and quinine compound tablets, aspirin tablets, kali hydroid, and morphine sulphate tablets. U. S. * * * v. Edward A. Runyon (Boericke & Runyon). Plea of guilty. Fine, \$25. (F. & D. No. 8979. I. S. Nos. 2929-p, 2930-p, 2932-p, 2933-p, 2934-p.)

On December 31, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward A. Runyon, trading as Boericke & Runyon, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on September 29, 1917 (5 shipments), from the State of New York into the State of New Jersey, of quantities of articles labeled in part, "Santonin and Calomel Tablets," "Acetanilid and Quinine Comp. Tablets," "Tablets of Aspirin 5 gr.," "Kali Hydroid 1 gr.," and "Morp. Sulph. Tablets," which were adulterated and misbranded.

Analyses of the samples of the articles by the Bureau of Chemistry of this department showed the following results:

SANTONIN AND CALOMEL TABLETS.

Santonin (grain per tablet).....	0.402
Calomel (grain per tablet).....	.352

ACETANILID AND QUININE COMPOUND TABLETS.

Caffeine citrate (grain per tablet).....	0.201
Quinine sulphate (grain per tablet).....	.842

ASPIRIN TABLETS.

Contain no aspirin, but are composed of salicylic acid, milk, sugar, and talc.

KALI HYDROID TABLETS.

Total halogens as potassium iodid (grain per tablet)----- 0.566

MORPHINE SULPHATE TABLETS.

Morphine as sulphate (grain per tablet)----- 0.071

Adulteration of the article labeled santonin and calomel tablets was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold in this, that it was a product which contained less than $\frac{1}{2}$ grain of santonin and less than $\frac{1}{2}$ grain of calomel per tablet, to wit, approximately, 0.402 grain of santonin and 0.352 grain of calomel per tablet, and was sold as a product which contained $\frac{1}{2}$ grain of santonin and $\frac{1}{2}$ grain of calomel per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Santonin and Calomel Tablets Santonin $\frac{1}{2}$ gr. Calomel $\frac{1}{2}$ gr.," borne on the label attached to the bottle containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in this, that it represented that the tablets contained in said bottle each contained $\frac{1}{2}$ grain of santonin and $\frac{1}{2}$ grain of calomel, whereas, in truth and in fact, each of said tablets did not contain $\frac{1}{2}$ grain of santonin and $\frac{1}{2}$ grain of calomel, but did contain a less amount, to wit, approximately 0.402 grain santonin and approximately 0.352 grain calomel.

Adulteration of the article labeled acetanilid and quinine compound tablets was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in this, that it was a product which contained less than $\frac{1}{4}$ grain of caffeine citrate and less than 1 grain quinine sulphate per tablet, to wit, approximately 0.201 grain of caffeine citrate and approximately 0.842 grain of quinine sulphate, and was sold as a product which contained $\frac{1}{4}$ grain of caffeine citrate and 1 grain of quinine sulphate per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Caffeine Citr. $\frac{1}{4}$ gr. Quinine Sulph. 1 gr.," borne on the label of the bottle containing the article, regarding said article and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets each contained $\frac{1}{4}$ grain of caffeine citrate and 1 grain of quinine sulphate, whereas, in truth and in fact, each tablet did not contain $\frac{1}{4}$ grain of caffeine citrate and 1 grain of quinine sulphate, but contained less amounts, to wit, approximately 0.201 grain of caffeine citrate and approximately 0.842 grain of quinine sulphate.

Adulteration of the article labeled aspirin tablets was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was a product which contained no aspirin per tablet, but was sold as a product which contained 5 grains of aspirin per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Tablets of Aspirin, 5 gr.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in said bottle each contained 5 grains of aspirin, whereas, in truth and in fact, each of said tablets contained no aspirin.

Adulteration of the article labeled kali hydroid tablets was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was a product which contained less than 1 grain of kali hydroid per tablet, to wit, less than 1 grain of potassium

iodid per tablet, that is to say, approximately 0.566 grain of kali hydroid per tablet, to wit, approximately 0.566 grain of potassium iodid per tablet, and was sold as a product which contained 1 grain of kali hydroid per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Kali Hydroid 1 gr.," borne on the label attached to the bottle containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in this, that it represented that the tablets contained in the said article each contained not less than 1 grain of kali hydroid, whereas, in truth and in fact, each of said tablets did not contain 1 grain of kali hydroid, but did contain a less amount, to wit, approximately 0.566 grain of kali hydroid.

Adulteration of the article labeled morphine sulphate tablets was alleged for the reason that its strength and purity fell below the standard and quality under which it was sold, in that it was a product which contained less than $\frac{1}{4}$ grain of morphine sulphate per tablet, to wit, approximately 0.071 grain of morphine sulphate per tablet, and was sold as a product which contained $\frac{1}{4}$ grain of morphine sulphate per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Morph. Sulph. $\frac{1}{4}$ gr.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in the bottles each contained not less than $\frac{1}{4}$ grain of morphine sulphate, whereas, in truth and in fact, each of said tablets did not contain $\frac{1}{4}$ grain of morphine sulphate, but did contain, to wit, approximately 0.071 grain of morphine sulphate.

On January 22, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6552. Misbranding of concentrated strained tomatoes. U. S. * * * v. W. H. Neal & Son Co., a corporation. Plea of guilty. Fine. \$20 and costs. (F. & D. No. 8982. I. S. No. 2394-p.)

On November 23, 1918, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. H. Neal & Son Co., a corporation, Hurlock, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 28, 1917, from the State of Maryland into the State of Pennsylvania, of a quantity of an article labeled in part, "Sun Lite Brand Concentrated Strained Tomatoes * * * Contents 11 oz.," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Can No.	NET WEIGHT.	Ounces.
1	-----	10.45
2	-----	10.10
3	-----	10.15
4	-----	9.85
5	-----	10.30
6	-----	10.20
Average shortage (per cent)	-----	7.5

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents 11 oz.," borne on the labels attached to the cans containing the article, regarding it, was false and misleading in that it represented that the contents of each of the cans weighed 11 ounces, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the contents of each of the cans weighed 11 ounces, whereas, in truth and in fact, they did not, but weighed a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 23, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

J. R. Riggs, Acting Secretary of Agriculture.

6553. Adulteration and misbranding of tomato pulp. U. S. * * * v. Robert Jarrell, sr., T. Noble Jarrell, and Robert Jarrell, jr. (Robert Jarrell & Sons). Pleas of guilty. Fine, \$20 and costs. (F. & D. No. 8983. I. S. Nos. 3005-p, 2400-p.)

On August 14, 1918, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert Jarrell, sr., T. Noble Jarrell, and Robert Jarrell, jr., copartners, trading as Robert Jarrell & Sons, Goldsboro, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 20, 1917, from the State of Maryland into the State of Pennsylvania, of a quantity of an article labeled in part, "Tomato Pulp," which was adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed it to be partially decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 14, 1918; the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20 and costs.

J. R. RIGGS, Acting Secretary of Agriculture.

6554. Adulteration and misbranding of cherry juice. U. S. * * * v. Golden Gate Fruit Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 8985. I. S. No. 2124-p.)

On August 28, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Golden Gate Fruit Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 25, 1917, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Cherry Juice," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	15.30
Solids (grams per 100 cc)-----	10.82
Total ash (grams per 100 cc)-----	.34
Glucose by polarization (grams per 100 cc)-----	3.19
Glycerin (grams per 100 cc)-----	.34
Artificial color: Amaranth.	

Product consists partly of glucose and alcohol, and is colored with amaranth, a coal-tar dye.

Adulteration of the article was alleged in the information for the reason that a mixture composed of glucose and alcohol, and artificially colored with a certain coal-tar dye, to wit, amaranth, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for cherry juice which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Cherry Juice," borne on the barrel containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was cherry juice, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cherry juice, whereas, in truth and in fact, it was not, but was a mixture composed in part of glucose and alcohol, and artificially colored with a certain coal-tar dye, to wit, amaranth.

On August 28, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6535. Adulteration and misbranding of olive oil. U. S. * * * v. 90 One-Quart Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8987. I. S. No. 1373-p. S. No. E-1022.)

On April 12, 1918, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 one-quart cans of olive oil, consigned by Garra & Trusso, New York, N. Y., remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped on or about January 8, 1918, and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part, "Pure Extra Fine Olive Oil."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article labeled, "Olive Oil."

Misbranding of the article was alleged for the reason that the statement, to wit. "Olive Oil," was false and misleading, and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Adulteration [misbranding] of the article was alleged for the further reason that it purported to be a foreign product, whereas, in fact, it was a product of domestic manufacture, packed in the United States. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 17, 1918, A. S. Johnson, of Providence, R. I., claimant, having filed a claim and answer, and the case having come on for hearing on the pleadings, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a satisfactory bond, in conformity with section 10 of the act.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6556. Adulteration and misbranding of vinegar. U. S. * * * v. 10 Barrels of Distilled Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8989. I. S. No. 8780-p. S. No. C-870.)

On April 15, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of distilled vinegar, remaining unsold in the original unbroken packages at Jeanerette, La., alleging that the article had been shipped on or about December 24, 1917, by R. M. Hughes & Co., Louisville, Ky., and transported from the State of Kentucky into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "White Distilled Vinegar 100 grain."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

It was alleged in the libel that the article was falsely labeled, marked, and branded so as to deceive and mislead the purchaser, and was misbranded in that a product of materially lower strength named, "distilled vinegar," of about 90-grain strength had been substituted in part for the article in being labeled, "100 grain," which represented the product to contain approximately 10 per cent acetic acid, whereas examination showed the product contained less acetic acid.

On October 11, 1918, B. F. Trappey & Sons, Jeanerette, La., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

J. R. RIGGS, Acting Secretary of Agriculture.

6557. Adulteration of canned corn. U. S. * * * v. 19 Cases * * * of Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8992. I. S. No. 12124-p. S. No. C-874.)

On April 16, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 cases, each containing 2 dozen cans of corn, remaining unsold in the original unbroken packages, at Belleville, Ill., alleging that the article had been shipped on or about February 11, 1918, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Hill City Brand Sweet Corn * * * packed by Forest City Canning Co., Forest City, Iowa."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substance.

On July 25, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

J. R. RIGGS, Acting Secretary of Agriculture.

6558. Adulteration of tomato pulp. U. S. * * * v. 100 Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8994. I. S. No. 3012-p. S. No. E-1029.)

On April 17, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of tomato pulp, consigned by Robert Jarrell & Sons, Goldsboro, Md., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about February 26, 1918, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On May 29, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

J. R. RIGGS, Acting Secretary of Agriculture.

6559. Adulteration and misbranding of blackberry beverage. U. S. * * * v. 5 Barrels and 2 Barrels of Alleged Blackberry Beverage. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 8995, 8996. I. S. Nos. 3776-p, 3777-p. S. Nos. E-1024, E-1027.)

On April 19, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 5 barrels and 2 barrels of alleged blackberry beverage at Spring Hope and Stantonburg, N. C., respectively, alleging that the article had been shipped on or about April 4, 1918, by the Sterling Vinegar Co., Baltimore, Md., and transported from the State of Maryland into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blackberry Beverage made from Pure Fruit Juice Flavor."

Adulteration of the article was alleged in the libels for the reason that it was an apple product diluted with water which was artificially colored, and was an imitation product containing no blackberry whatsoever.

Misbranding of the article was alleged for the reason that the statement, to wit, "Blackberry," was false and misleading, and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, blackberry beverage, whereas, in fact, it contained no blackberry elements.

On June 12, 1918, the said Sterling Vinegar Co., claimant, having filed stipulation for the payment of the costs of the action and to furnish a bond, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled, "Imitation Blackberry Beverage."

J. R. RIGGS, Acting Secretary of Agriculture.

6560. Adulteration and misbranding of corn sirup. U. S. * * * v. 105 Cases * * * 1½-Pound Cans * * *, 175 Cases * * * 10-Pound Cans, and 175 Cases * * * 5-Pound Cans of Corn Sirup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9005. I. S. No. 12123-p. S. No. C-877.)

On April 19, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 105 cases containing 1½-pound cans of corn sirup, 175 cases containing 10-pound cans, and 175 cases containing 5-pound cans of corn sirup, consigned by American Syrup & Preserving Co., St. Louis, Mo., remaining unsold in the original, unbroken packages at Belleville, Ill., alleging that the article had been shipped on or about March 23, 1918, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "White Clover Brand Table Syrup. Corn Syrup 85% Granulated Sugar Syrup 15%."

Adulteration of the article was alleged in the libel for the reason that corn sirup had been substituted for a sirup purporting to consist of 85 per cent corn sirup and 15 per cent of granulated sugar.

Misbranding of the article was alleged for the reason that the statements on the labels of the cases and cans were false and misleading, and deceived and misled the purchaser.

On June 25, 1918, the said American Syrup & Preserving Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the article should be relabeled. "White Corn Syrup."

J. R. RIGGS, Acting Secretary of Agriculture.

6561. Adulteration of tomato pulp. U. S. * * * v. 30 Barrels of Tomato Pulp. Heard by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9007. I. S. No. 1740-p. S. No. E-1033.)

On April 23, 1918, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 barrels of tomato pulp, remaining unsold in the original unbroken packages at Charleston, S. C., consigned on or about April 2, 1918, alleging that the article had been shipped by Ernest Griffith Co., Baltimore, Md., and transported from the State of Maryland into the State of South Carolina, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On August 16, 1918, the case having come on to be heard before the court and a jury, and no claim or appearance having been made for the property, and evidence to establish the material allegations of the libel having been submitted, the jury returned a verdict for the Government, and thereupon, in conformity with the finding of the jury, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

J. R. RIGGS, Acting Secretary of Agriculture.

6562. Adulteration of tomato pulp. U. S. * * * v. 900 Cans * * * of Tomato Pulp. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9008. I. S. No. 8432-p. S. No. C-880.)

On April 29, 1918, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cans, each containing 5 gallons of tomato pulp, at Norfolk, Nebr., alleging that the article had been shipped on or about October 23, 1917, by the English Canning & Manufacturing Co., English, Ind., and transported from the State of Indiana into the State of Nebraska, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On November 12, 1918, the said English Canning & Manufacturing Co., claimant, having made application that the pulp be delivered to it, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

J. R. Riess, Acting Secretary of Agriculture.

6563. Alleged adulteration and misbranding of vinegar. U. S. * * * v. 1,000 Cases and 300 Cases * * * of Vinegar. Tried to the court. Finding in favor of claimants. Libel dismissed. (F. & D. Nos. 9009, 9010. I. S. Nos. 8439-p, 8445-p. S. No. C-878.)

On April 29, 1918, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, and 300 cases, each containing 24 bottles of vinegar, at Omaha, Nebr., alleging that the article had been shipped on or about January 31, 1918, by Curd & Blakemore Co., Inc., Louisville, Ky., and transported from the State of Kentucky into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blue Grass Belle Brand * * * Pure Apple Cider Vinegar."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or added dilute acetic acid and material high in reducing substances had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure Apple Cider Vinegar," was false and misleading, and deceived and misled the purchaser into believing that he would be purchasing pure apple cider vinegar, whereas, in truth and in fact, it was not pure apple cider vinegar; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 20, 1918, the said Curd & Blakemore Co., having filed its answer as intervening claimant and the case having come on for trial before the court, after the submission of evidence and argument by counsel, a finding for the claimant was made and the libel was ordered dismissed, as will more fully appear from the following decision of the court (Woodrough, D. J.):

I am persuaded in this case that there were many suspicious circumstances that fully justified the libel being brought, but I am not persuaded that the evidence is sufficient to justify me in the condemnation of the product.

I find that the testimony of the experts is very persuasive; that their practical experience has shown them that good vinegar ought to have certain properties, that in a wide field of investigation have always shown up, that the particular vinegar in question does not have, but that the reasons why it does not have them are purely conjectural and speculative. So now I am left without any foundation to determine why this particular vinegar does not show the properties that these men, after years of experience, find exists in vinegar in general.

I find that the vinegar is manufactured under circumstances that practically put the seal of secrecy on it. Mr. Blakemore is able to testify only from information and belief. As to the elderly man who does supervise the manufacture of the vinegar, however, his testimony is positive. He says there was no adulteration, and sticks to it through a long cross-examination that there was no adulteration. He speaks of the physical difficulties which, in his mind, make it almost an impossibility that there should be, in any practical way, any adulteration.

I find many suspicious circumstances, however. It seems to me a suspicious circumstance that the chemist of this company should concern himself so particularly, time after time, in analyzing the product to see whether or not it came up to the standard set forth in Circular 19. What did he care about that fact, if it was made out of pure apple cider? He seems to have had some purpose in making these investigations. The circumstance looks suspicious to me; looks as though, if he knew it was made out of pure apple cider he wouldn't be concerned with the analysis, as far as that particular circular is concerned, giving as his only excuse that it was a good feeling to have to find that it happened to tally up with the definition in that circular. That is an analysis that had been made, which is admitted by all parties not to be a true

analysis, a complete analysis, of cider vinegar, showing all its component parts, because all the parties here admit that there is another part found in this vinegar, and practically all vinegar that is made by the fermentation process.

But I am unable to reach a conclusion with a sufficient degree of certainty or positiveness to overcome the positive testimony of the man who made the vinegar in question, and to order its condemnation.

I find plenty of opportunity. I find a good deal of incentive in the business conditions existing, where there was such a great discrepancy between the amount manufactured in this particular year, and the amount in other years, and the difficulty of getting apples this year. Seventy thousand gallons against 250,000 gallons would perhaps offer a great incentive. Ample opportunity in the fact that both kinds, the clear white vinegar and the other, were being made in the same place—undoubtedly ample opportunity—sufficient motive—very persuasive circumstances in the analyses that are made by these men who have devoted years to this study, but a lack of certainty sufficient to justify final condemnation.

Therefore there will be a dismissal of the libel.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6564. Misbranding of Sulferro-Sol. U. S. * * * v. 14 Cases of Sulferro-Sol. Default decree of condemnation, forfeiture, and destruction. Empty containers ordered sold. (F. & D. No. 9013. I. S. No. 1741-p. S. No. E-1028.)

On May 15, 1918, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 cases of an article labeled in part, "Sulferro-Sol," remaining unsold in the original unbroken packages, at Atlanta, Ga., alleging that the article had been shipped on or about February 5, 1918, by the Sul-Ferro-Sol Co. Inc., Birmingham, Ala., and transported from the State of Alabama into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act as amended.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, borne on the label, bottle, carton, and the pamphlet and booklet accompanying the article, falsely and fraudulently represented it as a remedy for pellagra, dyspepsia, indigestion, anemia, chronic abscesses, and all forms of stomach, kidney, skin, blood, and nervous troubles; whereas, in truth and in fact, it was not.

On July 5, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the empty containers should be sold at public auction.

J. R. RIGGS, Acting Secretary of Agriculture.

6565. Adulteration and misbranding of sirup. U. S. * * * v. 434 Cases * * * of Sirup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9017. I. S. No. 12128-p. S. No. C-882.)

On April 29, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 434 cases of sirup, consigned by the American Syrup & Preserving Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Danville, Ill., alleging that the article had been shipped on or about March 22, 1918, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Early Dinner Brand White Corn Syrup, 90% Corn Syrup, 10% Granulated Sugar Syrup."

Adulteration of the article was alleged in the libel for the reason that corn sirup containing a trace of granulated sugar sirup had been substituted for a sirup purporting to consist of 90% corn sirup and 10% granulated sugar sirup.

Misbranding of the article was alleged for the reason that the statements on the labels of the cases and cans were false and misleading and deceived and misled the purchaser.

On June 25, 1918, the said American Syrup & Preserving Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as "White Corn Syrup."

J. R. Riggs, Acting Secretary of Agriculture.

6566. Adulteration and misbranding of sirup. U. S. * * * v. 58 Cases, * * * of Sirup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9019. I. S. No. 12130-p. S. No. C-883.)

On May 2, 1918, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 58 cases of sirup, consigned on or about March 20, 1918, remaining unsold in the original unbroken packages at Decatur, Ill., alleging that the article had been shipped by the American Syrup & Preserving Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Warder Brand White Table Syrup * * * 85% Corn Syrup 15% Rock Candy Syrup."

Adulteration of the article was alleged in the libel for the reason that it consisted of corn sirup containing a trace of rock candy, which had been substituted for a sirup purporting to consist of 85 per cent corn sirup and 15 per cent rock candy sirup.

Misbranding of the article was alleged for the reason that the statement, to wit, "Warder Brand White Table Syrup. Contents 1½ lbs. 85 per cent corn sirup, 15 per cent. rock candy. Packed for McClelland Grocery Co., Decatur, Ills.," was false and misleading and calculated to deceive and mislead the purchaser.

On December 11, 1918, the said American Syrup & Preserving Co., claimant, having filed an answer and claim, and the case having come on for hearing on the pleadings, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as follows, to wit, "Warder Brand, net weight 1½ lbs., White Corn Syrup, table sirup, packed for McClelland Grocery Company, Decatur, Ill."

J. R. RIGGS, Acting Secretary of Agriculture.

**6567. Adulteration and misbranding of sirup. U. S. * * * v. 450 Cases
* * * of Sirup. Consent decree of condemnation and forfeiture.
Product ordered released on bond. (F. & D. No. 9020. I. S. No.
9608-p. S. No. C-884.)**

On April 30, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 450 cases of sirup consigned by the American Syrup & Preserving Co., St. Louis, Mo., remaining unsold in original unbroken packages at Effingham, Ill., alleging that the article had been shipped on or about March 11, 1918, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "White Daisy Brand Table Syrup. Formula, 90 per cent corn syrup, 10 per cent granulated sugar syrup."

Adulteration of the article was alleged in the libel for the reason that corn sirup containing a trace of granulated sugar sirup had been substituted for a sirup purporting to consist of 90 per cent corn sirup and 10 per cent granulated sugar sirup.

Misbranding of the article was alleged for the reason that the statements on the labels of the cases and cans were false and misleading, and deceived and misled the purchaser.

On June 25, 1918, the said American Syrup & Preserving Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,700, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as "White Corn Syrup."

J. R. RIEGS, *Acting Secretary of Agriculture.*

6568. Adulteration of corn meal. U. S. * * * v. 3,030 Sacks of Corn Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9025. I. S. No. 9611-p. S. No. C-887.)

On June 1, 1918, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,030 sacks of corn meal, at Dallas, Tex., alleging that the article had been shipped on or about March 21, 1918, by the O'Bannon Co., a corporation, Claremore, Okla., and transported from the State of Oklahoma into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On June 17, 1918, the said O'Bannon Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act.

J. R. Riggs, Acting Secretary of Agriculture.

6569. Misbranding of Santal Pepsin Capsules. U. S. * * * v. Augustus R. Kaylor and Clara J. Sadd (Santal Pepsin Co.). Plea of guilty. Fine, \$175 and costs. (F. & D. No. 9065. I. S. No. 12603-m.)

On October 16, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Augustus R. Kaylor and Clara J. Sadd, trading as the Santal Pepsin Co., Bellefontaine, Ohio, alleging the shipment by said defendants, in violation of the Food and Drugs Act as amended, on or about May 20, 1917, from the State of Ohio into the State of Tennessee, of a quantity of an article labeled in part, "Santal Pepsin Capsules," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article consisted of soft gelatin capsules containing about 10 grains of a mixture of santal oil, methyl salicylate, salol, and a tablet containing pepsin.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels falsely and fraudulently represented it as a cure for inflammation and catarrh of the bladder, diseased kidneys, and all unnatural diseases of the urinary organs. when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements appearing in the booklet accompanying the article falsely and fraudulently represented it as a specific for all kidney and bladder troubles, gonorrhea, gleet, and kindred diseases; as a remedy and cure for all kidney and bladder troubles; gonorrhea, gleet and kindred diseases; inflammation of the ovaries; rheumatism and bladder troubles; symptoms of kidney and bladder diseases; pain or ache in the back, side or hips running down to the urinary organs; frequency of urination; distention of the bladder; passage of thick, tenacious matter; sudden stoppage while passing water; sense of weight of bladder; passing of small red gravel, grit, "mucous;" the most stubborn cases of gonorrhea (clap); gleet and all discharges from the urinary organs; inflammation of the bladder even where there is hemorrhage; vesical catarrh of old age accompanied by stricture of the urethra and congestion of the prostate; Bright's disease; catarrh of the bladder; diseased kidneys; every case of inflammation of the bladder; catarrh of the bladder and diseased kidneys; when, in truth and in fact, it was not.

On November 21, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$175 and costs.

J. R. RIGGS, Acting Secretary of Agriculture.

6570. Adulteration of eggs. U. S. * * * v. Claude C. Hurley. Collateral of \$50 forfeited. (F. & D. No. 499-C.)

On August 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of the said District, filed in the Police Court of the District aforesaid an information against Claude C. Hurley, Monrovia, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on August 8, 1919, from the State of Maryland into the District of Columbia, of a quantity of eggs which were adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 8, 1919, the defendant having failed to appear, the \$50 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. Riggs, Acting Secretary of Agriculture.

6571. Adulteration of milk. U. S. * * * v. J. S. Magarity. Plea of guilty. Personal bond of defendant taken. (F. & D. No. 466-C.)

On September 28, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against J. S. Magarity, Lewinsville, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 5, 1918, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On September 28, 1918, the defendant entered a plea of guilty to the information, and was released on his personal bond.

J. R. Riggs, Acting Secretary of Agriculture.

6572. Adulteration of milk. U. S. * * * v. W. C. Walker. Plea of guilty. Fine, \$25. (F. & D. No. 467-C.)

On October 7, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against W. C. Walker, Laytonsville, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 10, 1918, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On October 7, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, *Acting Secretary of Agriculture.*

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6573. Adulteration of milk. U. S. * * * v. J. N. Barnsley. Plea of guilty. Fine, \$25. (F. & D. No. 468-C.)

On October 8, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against J. N. Barnsley, Olney, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 5, 1918, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On October 8, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6574. Adulteration of milk. U. S. * * * v. Bruce W. Stringfellow. Plea of guilty. Fine, \$25. (F. & D. No. 469-C.)

On October 17, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Bruce W. Stringfellow, Elkwood, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on August 30, 1918, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On October 17, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6575. Adulteration of milk. U. S. * * * v. Frank F. Wilson. Plea of guilty. Fine, \$25. (F. & D. No. 470-C.)

On October 22, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Frank F. Wilson, Layhill, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 26, 1918, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On October 22, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, Acting Secretary of Agriculture.

6576. Adulteration of milk. U. S. * * * v. Samuel Jetter. Collateral of \$25 forfeited. (F. & D. No. 471-C.)

On October 22, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Samuel Jetter, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on September 30, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On October 22, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, Acting Secretary of Agriculture.

6577. Adulteration of milk. U. S. * * * v. Donald F. Starr. Plea of guilty. Fine, \$25. (F. & D. No. 472-C.)

On October 29, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Donald F. Starr, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 1, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information in that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On October 29, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6578. Adulteration of milk. U. S. * * * v. William T. Carroll. Plea of guilty. Fine, \$25. (F. & D. No. 473-C.)

On October 29, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of said District an information against William T. Carroll, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid in violation of the Food and Drugs Act, on September 30, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information in that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On October 29, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, Acting Secretary of Agriculture.

6579. Adulteration of milk. U. S. * * * v. James Stathes. Plea of guilty. Fine, \$25. (F. & D. No. 474-C.)

On October 29, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against James Stathes, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 1, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On October 29, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6580. Adulteration of milk. U. S. * * * v. McGill Belt. Plea of guilty. Fine, \$25. (F. & D. No. 475-C.)

On November 8, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against McGill Belt, Dickerson, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 25, 1918, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On November 8, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6581. Adulteration of milk. U. S. * * * v. George Lefas. Plea of guilty. Fine, \$25. (F. & D. No. 476-C.)

On November 13, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against George Lefas, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 1, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On November 13, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, Acting Secretary of Agriculture.

6582. Adulteration of pork. U. S. * * * v. Artist Davis. Plea of guilty. Fine, \$25. (F. & D. No. 477-C.)

On November 14, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Artist Davis, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 26, 1918, a quantity of pork which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained a putrid and decomposed animal and vegetable substance, which rendered it unfit for human consumption as a food.

On November 14, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6583. Adulteration of milk. U. S. v. Vasilios Assimack. Plea of guilty. Fine, \$25. (F. & D. No. 478-C.)

On November 19, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Vasilios Assimack, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on September 30, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus lowering and reducing its quality and strength.

On November 19, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, Acting Secretary of Agriculture.

6584. Adulteration of milk. U. S. v. George C. Zentz. Collateral of \$25 forfeited. (F. & D. No. 479-C.)

On November 27, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against George C. Zentz, Tuscarora, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on October 24, 1918, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On November 27, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6585. Adulteration of milk. U. S. * * * v. Oris Harrison. Plea of guilty. Fine, \$25. (F. & D. No. 480-C.)

On September 3, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Oris Harrison, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 14, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 3, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. Riggs, *Acting Secretary of Agriculture.*

6586. Adulteration of milk. U. S. * * * v. John Perry. Collateral of \$25 forfeited. (F. & D. No. 481-C.)

On December 4, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said district, filed in the Police Court of the District aforesaid an information against John Perry, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 15, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 4, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. Riggs, Acting Secretary of Agriculture.

6587. Adulteration of milk. U. S. * * * v. Wen Young. Collateral of \$25 forfeited. (F. & D. No. 482-C.)

On December 4, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Wen Young, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 15, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 4, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. Riegs, *Acting Secretary of Agriculture.*

6588. Adulteration of milk. U. S. * * * v. Constance Antonopolous. Collateral of \$25 forfeited. (F. & D. No. 483-C.)

On December 4, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Constance Antonopolous, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 15, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 4, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, Acting Secretary of Agriculture.

6589. Adulteration of milk. U. S. * * * v. Andrew Dracos. Collateral of \$25 forfeited. (F. & D. No. 484-C.)

On December 10, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Andrew Dracos, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 1, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 10, 1918, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, Acting Secretary of Agriculture.

6590. Adulteration of milk. U. S. * * * v. Algie R. Hawkins. Plea of guilty. Fine, \$50. (F. & D. No. 485-C.)

On December 14, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid, an information against Algie R. Hawkins, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 9, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal and vegetable substance.

On December 14, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

J. R. Riegs, Acting Secretary of Agriculture.

6591. Adulteration of milk. U. S. * * * v. H. Lyon Smith. Plea of guilty. Fine, \$25. (F. & D. No. 486-C.)

On December 18, 1918, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against H. Lyon Smith, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 14, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On December 18, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

J. R. RIGGS, Acting Secretary of Agriculture.

6592. Adulteration of milk. U. S. * * * v. Millard E. Peake. Collateral of \$25 forfeited. (F. & D. No. 487-C.)

On January 23, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid, an information against Millard E. Peake, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on November 7, 1918, a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal and vegetable substance.

On January 23, 1919, the defendant having failed to appear, the collateral of \$25 that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6593. Adulteration of vinegar. U. S. * * * v. Charles W. Davis (C. W. Davis & Son). Collateral of \$50 forfeited. (F. & D. No. 488-C.)

On January 24, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid, an information against Charles W. Davis, trading as C. W. Davis & Son, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on October 17, 1918, a quantity of vinegar which was adulterated.

Adulteration of the article was alleged in the information for the reason that it purported to be pure cider vinegar, when, in truth and in fact, it was not pure cider vinegar but was a liquid consisting of cider vinegar, spirit vinegar, and other unknown substances.

On January 24, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. Riggs, *Acting Secretary of Agriculture.*

6594. Adulteration of oysters. U. S. * * * v. George H. Stanford. Collateral of \$25 forfeited. (F. & D. No. 489-C.)

On February 28, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against George H. Stanford, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on January 24, 1919, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On February 28, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was forfeited by order of the court.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6595. Adulteration of milk. U. S. * * * v. George A. Owens. Collateral of \$20 forfeited. (F. & D. No. 490-C.)

On March 1, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of District aforesaid an information against George A. Owens, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on January 27, 1919, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On March 1, 1919, the defendant having failed to appear, the \$20 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. RIGGS, Acting Secretary of Agriculture.

6596. Adulteration of milk. U. S. * * * v. Fannie L. TenEyck. Collateral of \$25 forfeited. (F. & D. No. 491-C.)

On April 26, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Fannie L. TenEyck, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on April 11, 1919, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On April 26, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by her to insure her appearance was ordered forfeited by the court.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6597. Adulteration of milk. U. S. * * * v. Howard F. Myers. Plea of guilty. Fine, \$30. (F. & D. No. 492-C.)

On April 30, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Howard F. Myers, Clifton, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on March 21, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On April 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

J. R. Riggs, Acting Secretary of Agriculture.

6598. Adulteration of milk. U. S. * * * v. Frank Harrison. Collateral of \$50 forfeited. (F. & D. No. 493-C.)

On May 1, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of District aforesaid an information against Frank Harrison, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on April 15, 1919, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted, thus reducing and lowering its quality and strength.

On May 1, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

J. R. Riggs, Acting Secretary of Agriculture.

6599. Adulteration of milk. U. S. * * * v. Abraham J. Minkin. Plea of guilty. Fine, \$30. (F. & D. No. 494-C.)

On May 6, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Abraham J. Minkin, Duley, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on April 15, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered its quality.

On May 6, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

J. R. RIGGS, Acting Secretary of Agriculture.

6600. Adulteration of fish. U. S. * * * v. J. A. Whitfield Co. Collateral of \$50 forfeited. (F. & D. No. 495-C.)

On May 20, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against J. A. Whitfield Co., a corporation, Washington, D. C., alleging that said company did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on May 10, 1919, a quantity of fish known as Labrador herring which were adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal and vegetable substance.

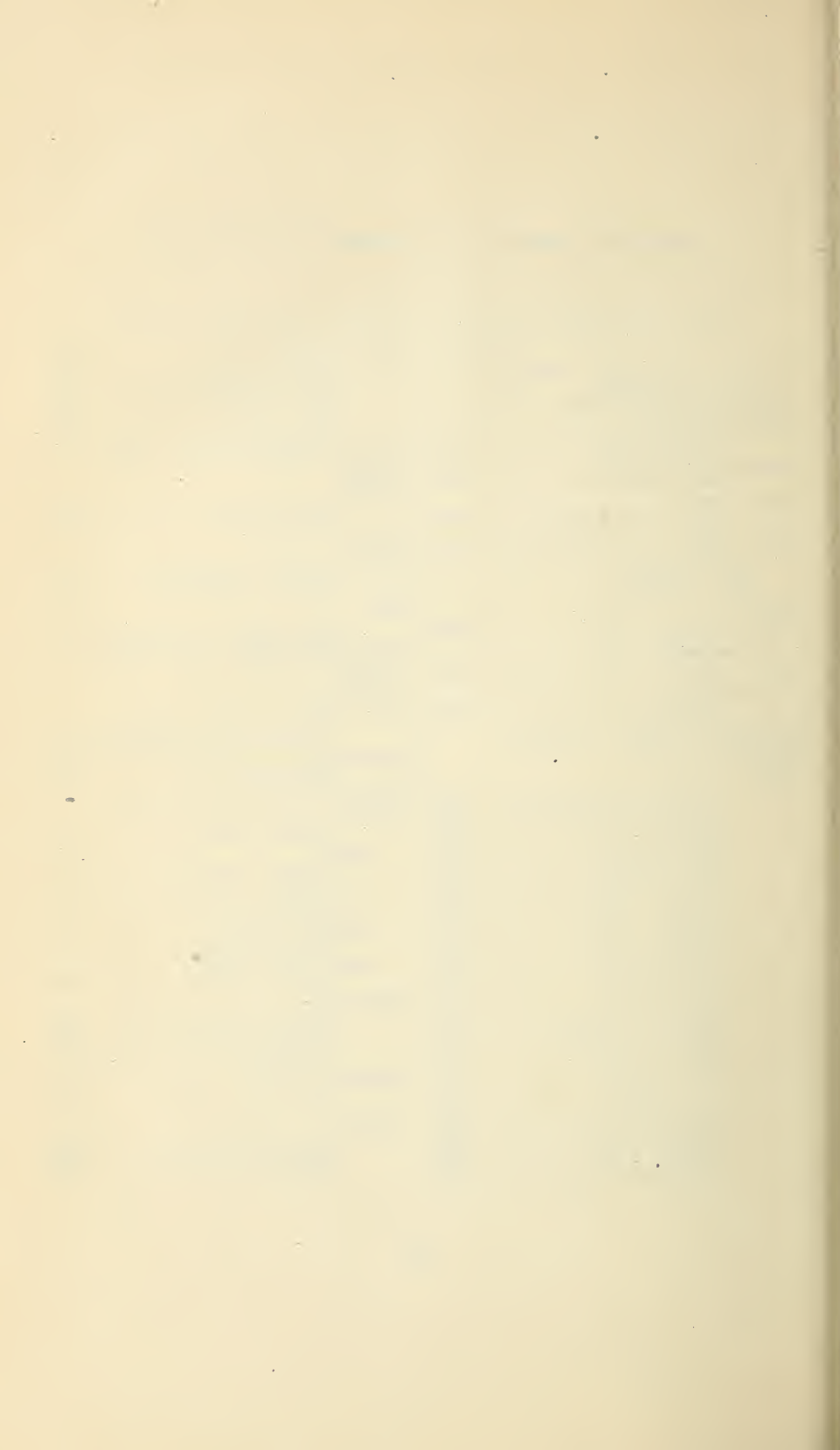
On May 20, 1919, the defendant company having failed to appear, the \$50 collateral that had been deposited by it to insure its appearance was ordered forfeited by the court.

J. R. RIGGS, Acting Secretary of Agriculture.

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 6601-6650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 6, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

6601. Adulteration of milk. U. S. * * * v. Zachary Harding. Collateral of \$25 forfeited. (F. & D. No. 496-c.)

On May 31, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the police court of the District aforesaid an information against Zachary Harding, Germantown, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on May 12, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On May 31, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6602. Adulteration of milk. U. S. * * * v. Douglass B. Diamond. Collateral of \$50 forfeited. (F. & D. No. 497-c.)

On June 17, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the police court of the District aforesaid an information against Douglass B. Diamond, Gaithersburg, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on May 27, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted therefrom, thus reducing, lowering, and injuriously affecting its quality and strength.

On June 17, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6603. Adulteration of milk. U. S. * * * v. John B. Diamond, jr. Collateral of \$50 forfeited. (F. & D. No. 498-c.)

On June 17, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the police court of the District aforesaid an information against John B. Diamond, jr., Gaithersburg, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on May 27, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been partially abstracted therefrom, thus reducing, lowering, and injuriously affecting its quality and strength.

On June 17, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6604. Misbranding of Newton's Heave, Cough, Distemper, and Indigestion Cure. U. S. * * * v. Fred F. Smith (The Newton Remedy Co.).
Plea of nolo contendere. Fine, \$5 and costs. (F. & D. No. 6238. I. S. No. 7313-e.)

On April 13, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred F. Smith, trading as The Newton Remedy Co., Toledo, Ohio, alleging shipment in violation of the Food and Drugs Act, as amended, by said defendant, on or about November 22, 1912, from the State of Ohio into the State of Indiana, of a quantity of an article labeled in part, "Newton's Heave, Cough, Distemper, and Indigestion Cure," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be a mixture composed chiefly of oxids and carbonates of iron, aluminum, magnesium, and calcium, with about 3.5 per cent of tartar emetic.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the label falsely and fraudulently represented it as a cure and preventive of heaves, coughs, distemper, and all epizootics, when, in truth and in fact, it was not.

On October 22, 1918, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$5 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6605. Misbranding of macaroni. U. S. * * * v. Cleveland Macaroni Co., a corporation. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 7656. I. S. Nos. 11219-1, 11232-1.)

On January 26, 1917, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cleveland Macaroni Co., a corporation, Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 30, 1914, and September 24, 1915, from the State of Ohio into the State of Michigan, of quantities of an article labeled in part, "Golden Egg Brand Macaroni," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of Sept. 30.	Shipment of Sept. 24.
Lecithin phosphoric acid as P_2O_5 (per cent) -----	0.012	0.02

The above results showed the product contained no egg.

Misbranding of the article in the shipment of September 30, 1914, was alleged in the information for the reason that the following statement, regarding the article and the ingredients and substances contained therein, appearing on the label of the box, to wit, "Golden Egg Macaroni," was false and misleading in that it indicated to purchasers thereof that the article contained eggs as one of its ingredients; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained eggs as one of its ingredients, when, in truth and in fact, it did not contain any eggs whatever. Misbranding of the article was alleged for the further reason that the following statement, design, and device, regarding the article and the ingredients and substances contained therein, appearing in conspicuous type on the label of the retail packages, to wit, "Golden Egg Macaroni," and the representations of eggs, not corrected by the statements appearing on the label in inconspicuous type, to wit, "Brand," and "Contain no egg," were false and misleading in that they indicated to purchasers thereof that the article contained eggs as one of its ingredients, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained eggs as one of its ingredients, when, in truth and in fact, it did not contain any eggs whatever.

Misbranding of the article in the shipment of September 24, 1915, was alleged for the reason that the following statement, design, and device, regarding the article and the ingredients and substances contained therein, appearing in conspicuous type on the label of the retail packages, to wit, "Golden Egg Macaroni," and the representations of eggs, not corrected by the statements appearing on the label in inconspicuous type, to wit, "Brand," and "Contain no egg," were false and misleading in that they indicated to purchasers thereof that the article contained eggs as one of its ingredients; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained eggs as one of its ingredients, when, in truth and in fact, it did not contain any eggs whatever.

On February 23, 1917, the defendant filed a demurrer to the information, on February 2, 1918, the case came on for hearing on the demurrer, and on April 17, 1918, said demurrer was overruled. In overruling the demurrer the court (Westenhaver, D. J.) remarked in part as follows: "Upon examination of the information and briefs of counsel, I am of opinion that proper pleading does

not require that the exceptions contained in section 8 of the Food and Drugs Act be negatived in the information and that the other considerations urged by defendant are not available to it on demurrer, but are matters of fact to be determined from the consideration of the evidence."

On March 20, 1919, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6606. Adulteration and misbranding of olive oil. U. S. * * * v. Nickitas P. Economou and Nicholas Theodos (N. P. Economou & Theodos). Pleas of guilty. Fine, \$30. (F. & D. No. 7687. I. S. No. 13654-r.)

On March 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nickitas P. Economou and Nicholas Theodos, copartners, trading as N. P. Economou & Theodos, New York, N. Y., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on July 5, 1918, from the State of New York into the State of New Jersey, of a quantity of an article labeled in part, "Olio Puro D'Oliiva Lucca Tipo Italy Net Contents Full-Gallon," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Net weight (grams)-----	3,275
Net volume (cc)-----	3,558
Shortage (per cent)-----	6
Specific gravity at 20°/20° C-----	.9205
Iodin number-----	111.2
Refractive index at 15.6° C-----	1.4745
Halphen test: Positive.	

Examination shows product to consist almost entirely of cottonseed oil. Cans also are short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oliiva Lucca, Italy, Net Contents Full Gallon, Garantito Produzione Propria," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil and that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas in truth and in fact it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in Lucca, in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the article by statements on the label purported to be a foreign product when not so. Misbranding of the

article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6607. Adulteration and misbranding of olive oil. U. S. * * * v. Nickitas P. Economou and Nicholas Theodos (N. P. Economou & Theodos). Pleas of guilty. Fine, \$30. (F. & D. No. 7715. I. S. No. 13658-r.)

On March 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nickitas P. Economou and Nicholas Theodos, copartners, trading as N. P. Economou & Theodos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act as amended, on August 13, 1918, from the State of New York into the State of Connecticut, of a quantity of an article labeled "La Regina Del' Olio A Lucca 1 Gallon Net," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Average net contents of 12 cans-----	3 qts., 1 pt., 9.5 fl. ozs.
Average shortage (per cent)-----	5.0
Specific gravity at 20°/20° C-----	.9213
Refractive index at 15.5° C-----	1.4755
Iodin number-----	117.2

Halphen test: Positive.

Qualitative test for corn oil with nitric acid: Positive.

Analysis shows the product to consist of a mixture of cottonseed oil and corn oil.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, cottonseed oil and corn oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "La Regina Del' Olio A Lucca, 1 Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they alleged that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of cottonseed oil and corn oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America and was branded as manufactured and produced in Lucca, in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil and corn oil prepared in imitation of olive oil and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the article by the statements and trade mark on the label purported to

be a foreign product when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6608. Misbranding of cottonseed meal or cake. U. S. * * * v. Sherman Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8076. I. S. No. 19984-1.)

On October 10, 1917, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sherman Oil Mill, a corporation, Sherman, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 31, 1915, from the State of Texas into the State of Michigan, of a quantity of an article labeled in part, "Cottonseed Meal or Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	10.9
Crude protein (per cent)-----	39.3

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "* * * Guaranteed Analysis Protein 43 to 45% * * * Crude Fibre 9% * * *," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of protein and not more than 9 per cent of crude fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 43 per cent of protein, and more than 9 per cent of crude fiber, to wit, approximately 39.3 per cent of protein, and approximately 10.9 per cent of crude fiber.

On February 11, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6609. Adulteration of milk. U. S. * * * v. Rosamond Dairy Co., a corporation. Tried to the court in default of defendant's appearance. Fine, \$50 and costs. (F. & D. No. 8369. I. S. No. 11825-m.)

On November 13, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Rosamond Dairy Co., a corporation, doing business at Honey Bend, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 11, 1916, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of large numbers of bacteria.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On June 19, 1919, the case having come on to be heard before the court and the defendant company having defaulted, after testimony on behalf of the Government had been heard, the court imposed a fine of \$50 and costs.

C. F. MARVIN, Acting Secretary of Agriculture.

6610. Adulteration and misbranding of mixed feed. U. S. * * * v. Wright Milling Co., a corporation. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 8486. I. S. No. 9603-m.)

On April 2, 1918, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wright Milling Co., a corporation, Bluefield, W. Va., alleging shipment by the said company, in violation of the Food and Drugs Act, on or about August 18, 1916, from the State of West Virginia into the State of Virginia, of a quantity of an article labeled in part, "The Wright Milling Co., Bluefield, W. Va. * * * Mixed Feed," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ether extract (crude fat) (per cent)----- 3.26

Presence of wheat starch and bran tissues, corn starch masses and corn bran, a little rye bran tissue, and considerable foreign tissue, which appears to be ground corn cob, indicated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, corn cob, had been mixed and packed therewith so as to lower or reduce, and injuriously affect its quality, and had been substituted in part for a mixture of wheat bran, wheat middlings, red dog, rye middlings, corn bran, and corn grits, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Mixed Feed. This feed contains wheat bran, wheat middlings, Red Dog, Rye Middlings, Corn bran and Corn grits. Analysis: * * * fat 4%," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was a mixture composed only of wheat bran, wheat middlings, red dog, rye middlings, corn bran, and corn grits and that it contained not less than 4 per cent of fat; and for the further reason that it was labeled as afore-said so as to deceive and mislead the purchaser into the belief that it was a mixture composed only of wheat bran, wheat middlings, red dog, rye middlings, corn bran, and corn grits, and that it contained not less than 4 per cent of fat, whereas, in truth and in fact, it was not a mixture composed only of wheat bran, wheat middlings, red dog, rye middlings, corn bran, and corn grits, but was a mixture composed in part of corn cob, and contained less than 4 per cent of fat, to wit, 3.26 per cent of fat.

On April 13, 1918, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6611. Misbranding of cottonseed meal. U. S. * * * v. Mount Pleasant Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8499. I. S. No. 21622-m.)

On March 1, 1918, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mount Pleasant Oil Mill, a corporation, Mount Pleasant, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 11, 1916, from the State of Texas into the State of Nevada, of a quantity of an article labeled in part, "Cottonseed Meal," which was misbranded. Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	18.64
Crude protein (per cent)-----	36.75
Total nitrogen (per cent)-----	5.88

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Protein not less than 44.00% * * * Crude Fiber, not more than 9.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 44 per cent of protein, and not more than 9 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 44 per cent of protein and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 44 per cent of protein, to wit, 36.75 per cent, and contained more than 9 per cent of crude fiber, to wit, approximately 18.64 per cent.

On March 18, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6612. Adulteration and misbranding of olive oil. U. S. * * * v. Nickitas P. Economou and Nicholas Theodos (N. P. Economou & Theodos). Pleas of guilty. Fine, \$30. (F. & D. No. 8561. I. S. No. 13653-r.)

On March 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nickitas P. Economou and Nicholas Theodos, copartners, trading as N. P. Economou & Theodos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act as amended, on July 5, 1918, from the State of New York into the State of New Jersey, of a quantity of an article labeled, "Full Gallon Frate Del Bosco Lucca Brand Toscana-Italia Extra Fine Olive Oil, Guaranteed Absolutely Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Net weight (grams)-----	3331.5
Net volume (cc.)-----	3627
Shortage (per cent)-----	4.2
Specific gravity at 20°/20° C-----	.9187
Iodin number-----	110.7
Refractive index at 15.6° C-----	1.4743
Halpen test: Positive.	

Examination shows product to consist almost entirely of cottonseed oil. Cans are also short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Full Gallon," "Frate Del Bosco," "Lucca Brand Toscana-Italia," "Extra Fine," "Olive Oil," "Guaranteed Absolutely Pure," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation

of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the article by the statements on the label purported to be a foreign product when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6613. Adulteration and misbranding of water. U. S. * * * v. Harris Springs Water Co., a corporation. Tried to the court and a jury. Verdict of guilty. Fine, \$25. (F. & D. No. 8594. I. S. No. 2405-m.)

On January 30, 1918, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Harris Springs Water Co., a corporation, Harris Springs, S. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 17, 1917, from the State of South Carolina into the State of Georgia, of a quantity of an article labeled in part, "Harris Spring Water," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that *B. coli* were present in small quantities of the water, and that the total numbers of organisms growing on agar at 37° C. exceeded 100 per cubic centimeter. Molds and liquefying organisms were present also.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 5, 1918, the case having come on for trial, after the submission of evidence and arguments by counsel, the jury retired, and after due deliberation returned into the court with a verdict of guilty, and thereupon a fine of \$25 was imposed.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6614. Adulteration of elixir of iron, quinine, and strychnine, and adulteration and misbranding of chloroform liniment. U. S. * * * v. John S. Clemence. Plea of guilty. Fine, \$40. (F. & D. No. 8609. I. S. Nos. 4810-m, 4902-m, 4587-m.)

On April 16, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against John S. Clemence, Washington, D. C., alleging that said defendant did offer for sale and sell, in violation of the Food and Drugs Act, on May 31, 1917, and February 8, 1917, at the District aforesaid, a quantity of an article labeled in part, "Elixir of Iron, Quinine and Strychnine," which was adulterated, and on February 8, 1917, a quantity of an article labeled in part, "Chloroform Liniment, Alcohol 49%, Chloroform 144 minims in 1 fl. oz.," which was adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

ELIXIR OF IRON, QUININE, AND STRYCHNINE.

	Sale of May 31.	Sale of February 8.
Total alkaloids equivalent to quinine hydrochlorid (grams per thousand mils)-----	6	6.26
Sugar-----	Present.	Present.

CHLOROFORM LINIMENT.

Alcohol (per cent by volume)-----	55.4
Chloroform (minims per fluid ounce)-----	70
or (mils per 1,000 mils)-----	146

Adulteration of the elixir of iron, quinine, and strychnine was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary, official at the time of investigation of the article, in that it contained in 1,000 mils, total alkaloids equivalent to 6.0 grams of 6.26 grams, as the case might be, of quinine hydrochlorid, whereas said National Formulary provides that it shall contain in 1,000 mils, 8.750 grams of hydrochlorid; and in that it contained sugar, which is not mentioned as an ingredient of elixir of iron, quinine, and strychnine in said National Formulary; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Adulteration of the chloroform liniment was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopoeia, official at the time of investigation of the article, in that in 1,000 mils of the article there were 146 mils of chloroform, whereas said Pharmacopoeia provides that in 1,000 mils of the article there shall be 300 mils of chloroform, and the strength, quality, and purity was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Alcohol 49% Chloroform 144 minims in 1 fl. oz.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the article contained 49 per cent of alcohol and contained 144 minims of chloroform to the fluid ounce, whereas, in truth and fact, it did not contain 49 per cent of alcohol, and did not contain 144 minims of chloroform

to the fluid ounce, but contained a greater per cent of alcohol and contained less than 144 minims of chloroform to the fluid ounce, to wit, 55.4 per cent of alcohol and 70 minims of chloroform to the fluid ounce. Misbranding of the article was alleged for the further reason that it contained alcohol and chloroform, and the label failed to bear a statement of the quantity or proportion of alcohol and chloroform contained therein.

On April 16, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6615. Adulteration and misbranding of brandy or brandy cognac type.
U. S. * * * v. Bertin & Lepori, a corporation. Plea of guilty.
Fine, \$25. (F. & D. No. 8613. I. S. No. 19127-p.)

On April 16, 1918, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bertin & Lepori, a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 19, 1917, from the State of California into the State of Nevada, of a quantity of an article labeled in part, "Brandy, Cognac Brandy Type," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters proof spirit unless otherwise specified:

Proof at 60° F. (degrees)-----	87.1
Solids-----	378.4
Acids, total, as acetic-----	106.2
Esters, as acetic-----	24.6
Aldehydes, as acetic-----	3.4
Furfural-----	0.57
Fusel oil-----	29.7
Color (degrees, Lovibond, 0.5-inch cell)-----	7.5
Color insoluble in amyl alcohol (per cent)-----	40
Paraldehyde test for caramel: Positive.	

Caramel: Present.

Residue on distillation: Trace of resins, odor of wood.

The product consists of neutral spirits mixed with brandy.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, either neutral spirits, grape spirits, or brandy spirits, had been mixed and packed therewith, so as to lower or reduce and injuriously affect its quality, and had been substituted in part or in whole for brandy or brandy cognac type, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Brandy" and "Cognac Brandy Type," borne on the keg containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was brandy and that it was cognac brandy type; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was brandy and that it was cognac brandy type, whereas, in truth and in fact, it was not brandy and was not cognac brandy type, but was a product composed in whole or in part of either neutral spirits, grape spirits, or brandy spirits.

On June 17, 1919, the defendant corporation entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6616. Adulteration of shell eggs. U. S. * * * v. James Samuel Eaton and William Jasper Eaton (J. S. Eaton & Brother). Pleas of guilty. Fine, \$25. (F. & D. No. 8657. I. S. No. 12809-m.)

On May 10, 1918, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Samuel Eaton and William Jasper Eaton, copartners, trading as J. S. Eaton & Bro., Taylorsville, Miss., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about June 18, 1917, from the State of Mississippi into the State of Louisiana, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

99 inedible eggs, constituting 13.7 per cent, were found in
720 eggs examined.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 8, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6617. Adulteration of oats. U. S. * * * v. 350 Sacks of Sulphured Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8674. S. No. C-778.)

On December 29, 1917, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 sacks of sulphured oats, at Ballinger, Tex., alleging that the article had been shipped on or about November 15, 1917, by the Halliday Elevator Co., Cairo, Ill., and transported from the State of Illinois to the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and had been substituted in part for the article.

On June 5, 1918, the Clement Grain Co., Waco, Tex., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings, and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6618. Adulteration of tomato pulp. U. S. * * * v. 1,300 Cases of Tomato Pulp. Product ordered destroyed. (F. & D. Nos. 8682, 8683, 8684. I. S. No. 2573-p. S. No. E-950.)

On December 17, 1917, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,300 cases of tomato pulp, consigned by Roberts Bros., Baltimore, Md., remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on or about September 28, 1917, and transported from the State of Maryland into the State of Florida, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Big R Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On January 10, 1919, no claimant having appeared for the property, it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6619. Adulteration of anchovies and sardines. U. S. * * * v. 5 Cases of Anchovies, 37 Cases of Sardines, and 28 Kegs of Sardines and Anchovies, and 351 Kegs and 98 Barrels of Sardines and Anchovies. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 8696. I. S. Nos. 8756-p, 8757-p, 8758-p. S. No. C-788.)

On January 5, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 5 cases of anchovies, 37 cases of sardines, and 28 kegs containing sardines and anchovies, and 351 kegs and 98 barrels of sardines and anchovies, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about November 15, 1917, by C. E. Van Landingham Co., Los Angeles, Calif., and transported from the State of California into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

The article was variously labeled, "Balboa Brand Anchovies," "Salted Sardines," and "Salted Anchovies."

Adulteration of the article was alleged in the libels for the reason that it consisted of filthy and decomposed animal substance.

On March 19, 1918, no claimants having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6620. Adulteration of emulsion turpentine. U. S. * * * v. Chas. E. Gross (Mt. Pleasant Pharmacy). Collateral of \$20 forfeited. (F. & D. No. 8713. I. S. No. 3798-p.)

On April 24, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the said District an information against Chas. E. Gross, trading as the Mount Pleasant Pharmacy, Washington, D. C., alleging that said defendant did offer for sale and sell, at the District aforesaid, in violation of the Food and Drugs Act, on May 14, 1918, a quantity of an article labeled "Chas. E. Gross, Mt. Pleasant Pharmacy, Cor. 14th St. & Park Road, Washington, D. C., Emulsion Turpentine," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (in vacuo at 80° C.) (grams per	
100 cc.)-----	40.2
Volatile oil (steam distilled) (per cent by volume)----	5.6

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that in 100 mls of the article there were 5.6 mls of rectified oil of turpentine, whereas said Pharmacopœia provides that in 100 mls of the article there shall be 15 mls of rectified oil of turpentine, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On April 24, 1919, the defendant having failed to appear, the \$20 collateral that had theretofore been deposited by him was forfeited by order of the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6621. Adulteration of process butter. U. S. * * * v. Cecil E. Harrow and Charles Taylor (Harrow-Taylor Butter Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8718. I. S. Nos. 12100-m, 19878-m.)

On October 8, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cecil E. Harrow and Charles Taylor, trading as Harrow-Taylor Butter Co., Kansas City, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about April 10, 1917, and October 27, 1916, from the State of Missouri into the State of Louisiana, of quantities of an article labeled in part, "Oakdale Process Butter" and "Sunflower Brand Process Butter," which was adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Oakdale, 2 samples.		Sunflower Brand.
Moisture (per cent)-----	17.3	16.9	16.25
Fat (per cent)-----	75.12	74.64	77.62
Casein (per cent)-----	1.06	1.09	1.31
Ash (per cent)-----	6.52	7.37	4.82

Adulteration of the article labeled "Oakdale Process Butter" was alleged in the information for the reason that a substance, to wit, a product deficient in butter fat or milk fat, and containing added water and salt, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for process butter, which the article purported to be. Adulteration of the article labeled "Sunflower Brand Process Butter" was alleged for the reason that a substance, to wit, a product deficient in butter fat or milk fat, and containing added water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for process butter, which the article purported to be.

On November 21, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6622. Adulteration of tomato pulp. U. S. * * * v. 400 Cases of Tomato Pulp. Product ordered destroyed. (F. & D. No. 8730. I. S. No. 2576-p. S. No. E-968.)

On or about January 16, 1918, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 48 cans of tomato pulp, consigned by the Southern Packing Co., Baltimore, Md., remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on or about October 9, 1917, and transported from the State of Maryland into the State of Florida, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Merit Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On January 10, 1919, no claimant having appeared for the property, it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6623. Misbranding of mineral water. U. S. * * * v. 275 Cases of Mineral Water. Tried to the court and a jury. Verdict for the Government. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8752. I. S. Nos. 8762-p, 8763-p. S. No. C-806.)

On February 1, 1918, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 275 cases of mineral water, remaining unsold in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Robinson Springs Co., Pocahontas, Miss., on or about July 7, 1917, and transported from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Robinson Spring Water, Springs at Pocahontas, Miss. Recommended in the treatment of Bright's Disease, Diabetes, Dropsy, Cystitis, Gout, Rheumatism, Indigestion, Kidney and Bladder Troubles. Directions. * * * Robinson Springs and Sanitarium Co. Pocahontas, Miss."

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label, were false and fraudulent in that they were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof, and create in the minds of purchasers thereof, the impression and belief that it was in whole or in part composed of, or contained ingredients or medicinal agents, effective, among other things, as a remedy for Bright's disease, diabetes, dropsy, cystitis, gout, rheumatism, indigestion, kidney and bladder troubles, when, in truth and in fact, it was not in whole or in part composed of and did not contain, ingredients nor a combination of ingredients, capable of producing the therapeutic effects claimed on the labels, and therefore not effective as a treatment for the above-named ailments.

On February 20, 1919, the case having come on for hearing, after the submission of evidence and arguments by counsel, the following charge was delivered to the jury by the court (Jack, D. J.):

This is a suit brought by the United States under what is known as the Pure Food and Drugs Act for the seizure, condemnation and confiscation of two hundred and seventy-five cases of Robinson Spring Water shipped from Pocahontas, Miss., to Shreveport, La.

The act makes it an offense to misbrand any drug shipped in interstate commerce. Section 8 of the act, as amended, provides:

"SEC. 8. That the term 'misbranded,' as used herein shall apply to all drugs or articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

"That for the purposes of this act an article shall also be deemed to be misbranded. In case of drugs:

* * * * *

Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false and fraudulent."

On the bottles of water are printed labels reading as follows:

"Robinson Spring Water. Springs at Pocahontas, Miss. Recommended in the treatment of Bright's Disease, Diabetes, Dropsy, Cystitis, Gout, Rheumatism, Indigestion, Kidney and Bladder Troubles. Directions * * *. Robinson Springs and Sanitarium Co., Pocahontas, Miss."

It is not contended that the water contains any deleterious substances, but that it contains no element of a therapeutic or curative value in the treatment of the diseases for which it is recommended on the labels, and that such statements on the labels are false and fraudulent, knowingly and recklessly made in wanton disregard of their truth or falsity, for the purpose of creating in the minds of prospective purchasers thereof, the impression and belief that the water was in whole or in part composed of ingredients effective as a remedy for Bright's disease, diabetes, dropsy, and the other diseases named, when, in truth and in fact, such water was not capable of producing the therapeutic effects claimed for it.

C. L. Bradley has made an appearance in the suit, claiming the water as his property, admitting the interstate transportation of same, but denying that the bottles are misbranded, or that the labels thereon contain false and fraudulent statements. He avers that many reputable physicians have used the water in the treatment of the diseases named on the labels, and alleges that the same was beneficial in the treatment of such diseases. He especially avers that before putting the water on the market he had it thoroughly tested and made no attempt to sell any of the water until he had been advised by reputable physicians of its therapeutical value in the treatment of the diseases for which he recommends it. He avers that in labeling the bottles he acted in entire good faith and denies that he attempted to perpetrate any fraud or deception upon the public.

Thus by the pleadings the issue is made clear and distinct, and you are to determine under the evidence, first, whether or not the water in question any more than any other pure water is of curative value in the treatment of the diseases enumerated on the label. If you determine that it is, then there is no need for any further inquiry. Defendant would be entitled to judgment rejecting the demands of the Government.

On the contrary, should you find that the water in question was not of medicinal value in the treatment of the diseases named, then your second inquiry would be whether or not the recommendation made by the owner, of the use of the water in the treatment of the diseases named, was fraudulently made. That brings up the question of good faith. Did Bradley, or did he not, knowingly recommend in the treatment of these diseases water which had no medicinal value?

If you find that the water was not of value for the purposes recommended, but that defendant acted in good faith, then there should be a verdict in his favor; but, if you find that the water was not of value for the purposes recommended, to the knowledge of the defendant, and that his purpose was to deceive and impose upon the public, then you should return a verdict for the Government.

You will bear in mind that the Government does not attack the water as bad or unfit for use, but, on the contrary, admits that it is a pure water, good for table use, but denies that it has any value in the treatment of the diseases for which it is recommended. The purpose of the suit is, therefore, not to suppress the sale of the water but to prevent the advertising and holding out of the water as of value in the treatment of diseases in which the Government claims it is of no benefit.

The Pure Food and Drugs Act is one of the best laws of its character placed on the statute books in many years. It simply means that a man shall correctly brand or label that which he ships in interstate commerce, that the purchaser must be informed of the character of the article bought, and must not be deceived as to its curative properties, in other words, that the drug must not be sold under false representations.

Barnum, the veteran showman, used to say that the American people like to be humbugged. That is, perhaps, more or less true. Consequently, a man who deliberately bets his money on a shell game, or who invests his savings in a gold brick, receives, and is entitled to, little sympathy. There is, however, a class of people, not ordinarily over credulous or gullible in ordinary matters of business, who, when stricken with a fatal malady, like drowning men, grasp at straws, and fall easy victims to quack doctors and patent medicine fakers. Such a man, when told by his physician that his case is hopeless and his days numbered, against his own better judgment, tries one nostrum after another in the desperate hope that he may find a cure. Such a man is the more easily persuaded to buy an alleged remedy whose efficacy he may doubt if he knows that it is at least perfectly harmless. These remarks are made to impress upon your minds the wisdom of the law and the importance of its strict enforcement.

If the water in question has the qualities attributed to it by the owner, it is not only his right to so advertise it but is to the interest of the public that he should do so. On the other hand, if the water has not the qualities ascribed to it, then such false advertising by labels on the bottles should be suppressed, and the deception of the public should be stopped.

These, then, are questions of disputed fact, of which you are the exclusive judges. This is not a criminal prosecution and the Government is not required to make out its case beyond a reasonable doubt. If the evidence establishes to your satisfaction the contentions of the Government, you should return a verdict for plaintiff, otherwise your finding should be for the defendant.

You may retire and consider your verdict.

The jury thereupon retired and after due deliberation returned a verdict for the Government, and thereafter, on February 25, 1919, in accordance with the said verdict, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to claimant, C. L. Bradley, Jackson, Miss., upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6624. Adulteration of citrate of magnesia. U. S. * * * v. Eugene R. Nichols (Nichols Pharmacy). Collateral of \$20 forfeited. (F. & D. No. 8768. I. S. No. 3237-p.)

On April 16, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Eugene R. Nichols, trading as Nichols Pharmacy, Washington, D. C., alleging that said defendant did offer for sale and sell, in violation of the Food and Drugs Act, on October 26, 1917, at the District aforesaid, a quantity of an article labeled in part, "Solution of Citrate of Magnesia * * * Nichols' Pharmacy, 1901 Pennsylvania Avenue NW., Washington, D. C.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 cc.:

Solids_____	15.4
Sodium bicarbonate_____	0.58
Citric acid (combined)_____	4.75
Citric acid (free)_____	1.59
Citric acid (total) _____	6.34
Magnesium oxid _____	1.23

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation of the article, in that it contained in 100 mls of the solution, magnesium citrate corresponding to 1.23 grams of magnesium oxid, whereas the said Pharmacopoeia provides that 100 mls of the solution shall contain magnesium citrate corresponding to not less than 1.5 grams of magnesium oxid; and that it contained in 100 mls, 6.34 grams of citric acid, whereas the said Pharmacopoeia provides that the article should contain 33 grams of citric acid in 350 mls of the solution, equivalent to 9.43 grams of citric acid per 100 mls of the solution; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On April 16, 1918, the defendant having failed to appear, the \$20 collateral that had theretofore been deposited by him was forfeited by order of the court.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6625. Adulteration and misbranding of vinegar. U. S. * * * v. Gist-Leo Vinegar Co., a corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 8773. I. S. No. 8113-p.)

On July 15, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Gist-Leo Vinegar Co., a corporation, Springfield, Mo., alleging the shipment by said company, in violation of the Food and Drugs Act, on or about July 2, 1917, from the State of Missouri into the State of Oklahoma, of a quantity of an article labeled in part, "Gist-Leo Vinegar Co., Springfield, Mo. Pure Apple Cider Vinegar Reduced with water to 4% acidity," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	0.03
Glycerol (gram per 100 cc.)-----	.13
Solids (grams per 100 cc.)-----	1.70
Nonsugar solids (grams per 100 cc.)-----	1.27
Sugar as invert before inversion, after evaporation (gram per 100 cc.)-----	.43
Ash (gram per 100 cc.)-----	.31
Acid, as acetic (grams per 100 cc.)-----	4.03
Product contains added distilled vinegar or dilute acetic acid.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, distilled vinegar or dilute acetic acid, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure apple cider vinegar reduced with water to 4 per cent acidity, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, "Pure Apple Cider Vinegar, reduced with water to 4 per cent acidity," borne on the label thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted entirely of pure apple cider vinegar reduced with water to 4 per cent acidity; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple cider vinegar reduced with water to 4 per cent acidity, whereas, in truth and in fact, it was not pure apple cider vinegar reduced with water to 4 per cent acidity, but consisted in part of another article, to wit, distilled vinegar or dilute acetic acid.

On October 28, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6626. Adulteration of corn. U. S. * * * v. 437 Cases of Canned Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8805. I. S. No. 9445-p. S. No. C-821.)

On February 20, 1918, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 437 cases, each containing 24 cans of canned corn, consigned on or about August 25, 1917, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped and transported from the State of Iowa into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6627. Adulteration of tomato catsup. U. S. * * * v. 504 Cases * * * and 396 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8806. I. S. No. 9425-p. S. No. C-824.)

On February 21, 1918, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 504 cases and 396 cases, each containing 36 bottles of catsup, remaining unsold in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped on or about November 7, 1917, by the Brooks Tomato Products Co., Collinsville, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "St. Clair Brand Tomato Catsup," and "Dixie Special Brand Tomato Catsup," and each article was labeled "Mfg. by Brooks Tomato Products Co., Collinsville, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On May 3, 1919, the said Brooks Tomato Products Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6628. Misbranding of Zaegel's Essence and Zaegel's Lung Balsam. U. S. * * * v. Max R. Zaegel (M. R. Zaegel & Co.). Plea of guilty. Fine, \$110. (F. & D. No. 8823. I. S. Nos. 11075-m, 11076-m.)

On July 29, 1918, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Max R. Zaegel, trading as M. R. Zaegel & Co., Sheboygan, Wis., alleging the shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 21 and April 27, 1917, from the State of Wisconsin into the State of Minnesota, of quantities of articles labeled in part, "Zaegel's Essence," and "Zaegel's Lung Balsam," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the "Essence" consisted essentially of alcohol, water, sugar, and material extracted from plant drugs, including a laxative substance and a saponin; and that the "Lung Balsam" consisted essentially of alcohol, water, sugar, and laxative plant material flavored with oil of peppermint.

It was alleged in substance in the information that the essence was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for rheumatism and stomach, liver, bowel, and kidney complaints, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as effective to remove all impurities from the blood and to aid digestion, and as a remedy, treatment, and cure for headaches, diseases of women, and nervousness, and as a remedy for heart trouble, when, in truth and in fact, it was not, and was not a preventive of appendicitis.

It was alleged in substance that the lung balsam was misbranded for the reason that certain statements appearing on the label of the bottles and cartons falsely and fraudulently represented it as effective to remove the cause of irritation and give ease and comfort to the lungs, when, in truth and fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy, treatment, and cure for coughs, lung and throat troubles, and whooping cough, and effective when used in connection with Z. M. O. as a remedy, treatment, and cure for pneumonia, and effective when used in connection with Zaegel's essence, and as a remedy, treatment, and cure for consumption, when, in truth and fact, it was not.

On September 27, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$110.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6629. Alleged adulteration of granulated pink root. U. S. * * * v. S. B. Penick & Co., a corporation. Tried to the court and a jury. Verdict of not guilty. (F. & D. No. 8832. I. S. No. 1804-p.)

On May 7, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against S. B. Penick & Co., a corporation doing business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on June 9, 1917, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Granulated Pink Root," which was alleged to have been adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained 22.33 per cent of ash.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, official at the time of investigation, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation, in this, to wit, that said article on analysis yielded 22.33 per cent of ash, whereas the said Pharmacopoeia, official at the time of investigation, provided that pink root yields not more than 10 per cent of ash.

On March 4, 1919, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the following charge was delivered to the jury by the court (Hand, D. J.):

Gentlemen, the case is substantially one of law, but you must find a verdict—if this was a civil case, I should have to direct a verdict—but you must find the facts and you must find them beyond a reasonable doubt against the defendant.

Now, the only questions on which the case turns are these: Did the defendant send these two cases of pink root from New York to Baltimore, and was one of them from which the sample was taken, of less than the standard required by the United States Pharmacopoeia?

The United States Pharmacopoeia says that the pink root must have no more than 10 per cent of ash.

The gentlemen whom you have heard on the stand, two of them, said they found, out of one of the packages, over 22 per cent of ash. If you believe them, and believe that a fair sample taken from that box, although it was only one box, showed more than 10 per cent, that is, 22 per cent or thereabouts, then you are to find a verdict of guilty. But if you have doubts on that point, then you are to find a verdict of not guilty.

I think that is all that I need tell you; the rest are questions of law. Are there any requests?

Mr. INGLE. I think your honor ought to submit also the question of whether it was properly labeled on the box.

The COURT. The label is not in dispute.

Mr. INGLE. Nothing is in dispute.

The COURT. What question do you want me to submit?

Mr. INGLE. That the jury must find that the box does not contain a statement as to the standard of purity of the contents.

The COURT. That is true. Mr. Ingle suggests to me that I should tell you that you must find that the box did not contain any statement of the standard of purity of the pink root within it—so much of the box as we have here contains no statement about the standard of purity; that is, how much ash there was. What we have here, what is the end of the box, contains the statement that it is granulated pink root, but nothing more. If, as a matter of fact, the standard of pink root was contained elsewhere on the box, it was a sufficient compliance with the law. If you have any doubts upon it, you may bring in a verdict of not guilty.

Do you want me to charge that the burden rests on the defendant?

Mr. DE WITT. Well, will your honor charge the—that the defendant must bear the burden of proof to show that this was marked in such a way as to indicate that it would meet the requirements?

The COURT. I do not think it is worth while doing that. You have the testimony of Mr. Lowe that he presents all of the box that had any marking—it is not likely that they are going to read his testimony; he had no interest, so far as I know.

Mr. INGLE. I ask your honor to charge that if the jury find that this material was sold as pink root not analyzed, then the case is not one within the statute and they may bring in a verdict of not guilty.

The COURT. No, I will deny that.

Mr. INGLE. Exception.

The jury thereupon retired, and after due deliberation returned a verdict of not guilty.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6630. Adulteration of tomato pulp. U. S. * * * v. 500 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8849. I. S. No. 8546-p. S. No. C-839.)

On March 14, 1918, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases of tomato pulp at Austin, Tex., alleging that the article had been shipped on or about October 5, 1917, by the Gibbs Preserving Co., Baltimore, Md., and transported from the State of Maryland into the State of Texas, charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Popular Brand Tomato Pulp. Made from pieces and trimmings of tomatoes."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On July 16, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, Acting Secretary of Agriculture,

6631. Adulteration of slab peaches. U. S. * * * v. 300 Boxes, 500 Boxes, and 212 Boxes of Slab Peaches. Default decrees of condemnation and forfeiture. Product ordered sold for stock food. (F. & D. Nos. 8855 to 8858, inclusive. I. S. Nos. 9544 to 9547-p, inclusive. S. Nos. C-840, 841.)

On March 23 and April 4, 1918, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 300 boxes, 500 boxes, and 212 boxes of slab peaches, remaining unsold in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped on or about October 23 and 25, 1917, by the California Peach Growers (Inc.), Fresno, Calif., and transported from the State of California into the State of Tennessee, charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in part of filthy and decomposed vegetable substances.

On February 25, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be sold for stock food or other similar uses, other than human consumption, the purchaser thereof to execute and deliver a good and sufficient bond in the aggregate sum of \$1,500, conditioned in part that the article should not be sold or disposed of or used as food for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6632. Adulteration of catsup. U. S. * * * v. 900 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8859. I. S. No. 8551-p. S. No. C-842.)

On March 18, 1918, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cases of tomato catsup, remaining unsold in the original unbroken packages at Houston, Tex., alleging that the article had been shipped on or about November 23, 1917, by the Frazier Packing Co., Elwood, Ind., and transported from the State of Indiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Liberty Bell Brand. * * * Prepared by the Frazier Packing Co., Elwood, Ind."

Adulteration of the article was alleged in substance in the libel for the reason that it was decomposed and putrid.

On November 9, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6633. Misbranding of P P P Prickly Ash Poke Root Potassium and Stillingia. U. S. * * * v. 3 Cases of P P P Prickly Ash Poke Root Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8871. I. S. No. 4211-p. S. No. C-847.)

On March 21, 1918, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of "P P P Prickly Ash Poke Root Potassium and Stillingia," remaining unsold in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped on or about March 5, 1918, by F. V. Lippman, Savannah, Ga., and transported from the State of Georgia into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part:

(On carton.) "P P P * * * a Valuable Remedy for Syphilis and Scrofulas and is Recommended for Rheumatism, Gout, Old Sores, Glandular Enlargements, and all conditions arising from Blood Poison * * *"

(On circular.) "Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor and General Derangement of the System * * *."

"For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache, * * *."

"For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head, * * *."

"After Diphtheria, Scarlet Fever, Typhoid Fever and Pneumonia, * * * nervousness, nervous headaches, and nervous dyspepsia * * *."

"Eczema, Herpes, Psoriasis, Ringworm, Camp Itch * * * Distress after eating, pains in the back, headache, * * *."

"Enlargement, Ulceration, and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy and Dropsical Swellings * * * Syphilis and Scrofula * * * For Tumors, Ulcers, and Sores * * * For Skin Diseases, Eruptions, Postules, * * * Boils * * * all diseases of the blood, bones, and tissues, the kidneys and bladder, the bowels, stomach, and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat, and nasal cavities, and in all cases of animal or vegetable poisoning * * * Necrosis of the bone, * * * Ulcerated or swollen glands, abscesses * * * carbuncles * * * hip disease, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver disease * * *."

Misbranding of the article was alleged in the libel for the reason that the statements borne on the cartons and circulars were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton and circular.

On March 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6634. Adulteration of salmon. U. S. * * * v. 577 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8873. I. S. No. 10107-p. S. No. C-848.)

On March 18, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 577 cases, each containing 48 cans of salmon, remaining unsold in the original unbroken packages, at New Orleans, La., alleging that the article had been shipped on or about December 17, 1917, by F. C. Barnes Co., Seattle, Wash., and transported from the State of Washington into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a putrid and decomposed animal substance.

On June 21, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6635. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8874. I. S. No. 2680-p. S. No. E-997.)

On March 20, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 5 cases of an article purporting to be olive oil, consigned on or about September 11, 1917, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by S. F. Zaloom & Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Lucca Olive Oil Product of Italy."

Adulteration of the article was alleged in the libel of information for the reason that it consisted wholly or in part of corn oil, which had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that the packages and the labels thereof bore a certain statement which was false and misleading, that is to say, the words "Olive Oil," in that said article was not olive oil; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, whereas, in truth and in fact, it was not olive oil; and for the further reason that because by manner of display it led the purchaser to believe that it was a foreign product, when, in truth and in fact, it was a product of domestic manufacture.

On March 30, 1918, the Arax Grocery Co., Boston, Mass., having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6636. Adulteration and misbranding of quinine sulphate and calomel tablets. U. S. * * * v. The Drug Products Co., a corporation. Plea of guilty. Fine, \$20. (F. & D. No. 8880. I. S. Nos. 1118-p, 1120-p.)

On May 7, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drug Products Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act (two shipments), on September 25, 1917, from the State of New York into the State of New Jersey, of quantities of articles labeled in part, "Tablets * * * Quinine Sulphate," and "Tablets * * * Calomel," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

QUININE SULPHATE TABLETS.

Quinine equivalent to quinine sulphate $+7\text{H}_2\text{O}$ (grains
per tablet) ----- 1.54

CALOMEL TABLETS.

Calomel (grain per tablet) ----- 0.156

Adulteration of the "Quinine Sulphate" was alleged in the information for the reason that its strength fell below the professed standard or quality under which it was sold, in that it was a product which contained less than 2 grains of quinine sulphate per tablet, to wit, 1.54 grains of quinine sulphate per tablet, and was sold as an article which contained 2 grains of quinine sulphate per tablet.

Misbranding of the article was alleged for the reason that the statement, "Each tablet contains quinine sulphate 2 grains," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each tablet of the article contained 2 grains of quinine sulphate, whereas, in truth and in fact, each did not, but contained a less amount, to wit, 1.54 grains of quinine sulphate.

Adulteration of the "Calomel" was alleged for the reason that its strength fell below the professed standard of quality and purity under which it was sold, in that it was a product which contained less than $\frac{1}{4}$ grain of calomel per tablet, to wit, 0.156 grain of calomel per tablet, and was sold as an article which contained $\frac{1}{4}$ grain of calomel per tablet.

Misbranding of the article was alleged for the reason that the statement, "Each tablet contains calomel $\frac{1}{4}$ grain," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that each tablet of the article contained $\frac{1}{4}$ grain of calomel, whereas, in truth and in fact, each did not, but contained a less amount, to wit, 0.156 grain of calomel per tablet.

On December 11, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6637. Misbranding of Mendenhall's Number 40 for the Blood. U. S. * * *
v. J. C. Mendenhall Medicine Co., a corporation. Plea of guilty.
Fine, \$100 and costs. (F. & D. No. 8884. I. S. No. 11993-m.)

On November 4, 1918, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in the District Court of the United States for said district against the J. C. Mendenhall Medicine Co., a corporation, Evansville, Ind., charging shipment by said company, in violation of the Food and Drugs Act, as amended, on March 23, 1917, from the State of Indiana into the State of Tennessee, of a quantity of an article labeled in part, "Mendenhall's Number 40 for the Blood," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry showed that it consisted essentially of potassium iodid, cathartic resins, ammonium acetate, licorice, glycerin, sugar, alcohol, and water.

It was charged in substance in the indictment that the article was misbranded for the reason that certain statements appearing on the label of the carton and bottle falsely and fraudulently represented it as a remedy, treatment, and cure for all diseases of the glandular system, blood poison, scrofula, abscesses, mucous patches, copper colored spots, lupus, tetter, salt rheum, eczema, scaly skin diseases, rheumatism, catarrh, malaria, jaundice, diseases of the liver, kidneys, and spleen, syphilis and all diseases of the blood, when, in truth and in fact, it was not.

It was charged in substance that the article was misbranded for the further reason that certain statements included in a circular accompanying the article falsely and fraudulently represented it as a remedy, treatment, and cure for all diseases of the glandular system, such as tumors, nodes, goitre, lupus, and buboes, cankerous and scrofulous sores, chancroids, carbuncles, psoriasis, sciatic lumbago, chronic pleurisy, pericarditis and hydrocephalus, aneurisms, particularly of the aorta, especially if due to syphilitic or scrofulous origin; bronchitis, abdominal dropsy, especially when connected with a diseased liver and in hardening and enlargements of the liver and spleen; malarial poison, leucorrhoea or whites, and in gonorrhoea and gleet in the advanced stages, whereas, in truth and in fact, it was not.

On November 25, 1918, the defendant company entered a plea of guilty to the indictment, and on November 26, 1918, the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6638. Adulteration and misbranding of effervescent magnesia. U. S. * * *
v. Scaramelli & Co., a corporation. Plea of guilty. Fine, \$100.
(F. & D. No. 8886. I. S. No. 1308-p.)**

On December 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Scaramelli & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on May 1, 1917, from the State of New York into the State of Connecticut, of a quantity of an article labeled in part, "Effervescent Aurora," and invoiced as magnesia, which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to consist of tartaric acid, sodium bicarbonate, sugar, and borax or boric acid.

Adulteration of the article was alleged in the information for the reason that an imitation product, to wit, a mixture composed in part of bicarbonate of soda, tartaric acid, sugar, and either borax or boric acid, had been substituted in whole or in part for effervescent magnesia, which the article purported to be, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, either borax or boric acid, which may render the article injurious to health.

Misbranding of the article was alleged for the reason that it was a product, to wit, a mixture composed in part of bicarbonate of soda, tartaric acid, sugar, and either borax or boric acid, prepared in imitation of effervescent magnesia, and was offered for sale and sold under the name of another article, to wit, effervescent magnesia.

On December 11, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6639. Adulteration and misbranding of Soluble Hypodermic Tablets Strychnine Nitrate. U. S. * * * v. The Columbus Pharmacal Co., a corporation. Plea of guilty. Fine, \$60 and costs. (F. & D. No. 8889. I. S. No. 9227-p.)

On May 23, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Columbus Pharmacal Co., a corporation, Columbus, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 23, 1917, from the State of Ohio into the State of Michigan, of a quantity of an article labeled in part, "Soluble Hypodermic Tablets Strychnine Nitrate 1-40 gr.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Strychnine nitrate (grain per tablet)----- 0.01636

Adulteration of the article was alleged in the information for the reason that it was sold as and for soluble hypodermic tablets each containing 1-40 grain of strychnine nitrate, and its strength and purity fell below the professed standard and quality under which it was sold, in that each of said tablets, did not contain 1-40 grain of strychnine nitrate, but contained a less amount, to wit, approximately 0.01636 grain of strychnine nitrate in each tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Soluble Hypodermic Tablets Strychnine Nitrate 1-40 gr.," borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading, in that it represented that it contained not less than 1-40 grain of strychnine nitrate in each tablet, whereas, in truth and in fact, it did not, but contained a less amount, to wit, approximately 0.01633 grain of strychnine nitrate in each tablet.

On September 11, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$60 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6640. Adulteration of oysters. U. S. * * * v. Robert M. Dobbins, sr., and George W. Stuart (Dobbins Fish Co.). Collateral of \$20 forfeited. (F. & D. No. 8891. I. S. No. 6981-p.)

On May 20, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Robert M. Dobbins, sr., and George W. Stuart, copartners, trading as Dobbins Fish Co., Washington, D. C., alleging that said defendants offered for sale and sold, on November 28, 1917, at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Drained oysters (per cent)-----	82.7
Liquor (per cent)-----	17.3
Solids in liquor (per cent)-----	3.24
Solids calculated to whole sample (per cent)-----	11.9
Chlorids as sodium chlorid in drained oysters:	Trace.
Chlorids as sodium chlorid in liquor (per cent)-----	.16
These oysters contain added water.	

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On May 20, 1918, the case having been called and the defendant having failed to appear, the \$20 that had been deposited by him as collateral to insure his appearance was forfeited.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6641. Adulteration and misbranding of West Baden Sprudel Concentrated Spring Water. U. S. * * * v. West Baden Springs Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8892. I. S. No. 9228-p.)

On November 4, 1918, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in the District Court of the United States for said district against the West Baden Springs Co., a corporation, West Baden, Ind., charging shipment by said company, in violation of the Food and Drugs Act, as amended, on August 22, 1917, from the State of Indiana into the State of Illinois, of a quantity of an article labeled in part, "Sprudel Concentrated Spring Water," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained excessive quantities of free and albuminoid ammonia and traces of nitrite. Bacilli of the colon group were found in small quantities of the water in six of the eight bottles examined. The total numbers of bacteria growing on gelatin at 20° C. and on agar at 37° C. were excessive, and molds and liquefying organisms were present.

Adulteration of the article was charged in the indictment for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

Misbranding of the article was charged for the reason that the statements, to wit, "West Baden Sprudel Concentrated Spring Water," and "Fortified with some of the natural products of the water," borne on the labels attached to the bottles, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a genuine Sprudel water, that it was a genuine Sprudel spring water, that it was a genuine West Baden Spring water, and that it was a genuine West Baden Sprudel spring water, fortified with some of the natural products of the water, whereas, in truth and in fact, it was not a genuine Sprudel water, was not a genuine Sprudel spring water, was not a genuine West Baden spring water, was not a genuine West Baden Sprudel spring water, and was not fortified with some of the natural products of the water, but was a water other than genuine Sprudel water, or genuine Sprudel spring water, or genuine West Baden spring water, and contained added salts not obtained from the natural product of the West Baden Sprudel concentrated spring water. It was charged in substance that the article was misbranded for the further reason that certain statements appearing on the label of the bottle falsely and fraudulently represented it as a treatment for all nutritional disturbances, such as gout, rheumatism, diabetes, and obesity, whereas, in truth and in fact, it was not.

On November 25, 1918, the defendant company entered a plea of guilty to the indictment, and on November 26, 1918, the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6642. Misbranding of "Jarabe de Ambrozoin." U. S. * * * v. American Apothecaries Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 8895. I. S. No. 8384-m.)

On December 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Apothecaries Co., a corporation, Astoria, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on March 3, 1917, from the State of New York into the Island of Porto Rico, of a quantity of an article labeled in part, "Jarabe de Ambrozoin," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of terpin hydrate, menthol, benzoic acid, ammonium chlorid, sodium bromid, glycerin, alcohol, sugar, and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels on the cartons and bottles falsely and fraudulently represented it as a treatment for laryngitis, asthma, whooping cough, and tuberculosis, and effective to strengthen the respiration, control restlessness, repress night sweats, and mitigate inflammation, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it to be effective to exercise a sedative effect on all the respiratory system, to diminish the number and intensity of the paroxysms of whooping cough, to shorten the course of this disease, and to make it less contagious; to augment the resistance of the pulmonary tissues in tuberculosis; as a treatment for pulmonary hemorrhages; to prevent attacks of colds, bronchitis, laryngitis, and other affections of an inflammatory character of the respiratory tract; and especially effective in the treatment of cough which accompanies attacks of pneumonia, when, in truth and in fact, it was not.

On February 4, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6643. Adulteration and misbranding of tomato pulp. U. S. * * * v. Oliver P. Roberts, James H. Roberts, William H. Roberts, M. Raymond Roberts, and James O. Langrall (Roberts Bros.). Pleas of guilty as to counts 1, 2, 4, 5, 7, 8, 9, 11, 12, 14, 15, 17, 18, 20, and 21, charging adulteration and misbranding. Counts 3, 6, 10, 13, 16, 19, and 22, charging misbranding in violation of the net weight amendment, *nolle prosequi*. Fine, \$375 and costs. (F. & D. No. 8898. 1. S. Nos. 2327-p, 2332-p, 2334-p, 2373-p, 2354-p, 2049-p, 2390-p.)

On June 28, 1918, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Oliver P. Roberts, James H. Roberts, William H. Roberts, M. Raymond Roberts, and James O. Langrall, copartners, trading as Roberts Bros., Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 6, 1917, September 11, 1917 (two shipments), October 9, 1917, November 6, 1917 (two shipments), and November 22, 1917 (two shipments), from the State of Maryland into the State of Pennsylvania, of quantities of an article labeled in part, "Big R Brand Tomato Pulp, Contents Weigh 10 oz.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the pulp to have been made from partially decayed tomatoes and the contents to be less than 10 ounces except in one shipment of September 11.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding of the article in each shipment except in one of the shipments on September 11, 1917, was alleged for the reason that the statement, to wit, "Contents Weigh 10 oz.," borne on the labels attached to the cans containing the article, regarding it, was false and misleading, in that it represented that the contents of said cans weighed 10 ounces each, whereas, in truth and in fact, it did not, but weighed a less amount.

Misbranding of the article in each shipment except in one of the shipments on September 11, 1917, was alleged for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 28, 1918, the defendants entered pleas of guilty to counts 1, 2, 4, 5, 7, 8, 9, 11, 12, 14, 15, 17, 18, 20, and 21 of the information, charging adulteration and misbranding, as to short weight, and the court imposed a fine of \$375 and costs. Counts 3, 6, 10, 13, 16, 19, and 22, charging misbranding under the net weight amendment, were *nolle prosequi*.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6644. Misbranding of P P P Prickly Ash Poke Root Potassium and Stillingia. U. S. * * * v. 3 Cases of P P P Prickly Ash Poke Root Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8899. I. S. No. 4226-p. S. No. C-858.)

On March 21, 1918, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of three cases of "P P P Prickly Ash Poke Root Potassium and Stillingia," remaining unsold in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped on or about March 5, 1918, by F. V. Lippman, Savannah, Ga., and transported from the State of Georgia into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part:

(On carton.) "P P P * * * a valuable remedy for Syphilis and Scrofulas and is recommended for Rheumatism, Gout, Old Sores, Glandular Enlargements, and all conditions arising from Blood Poison * * *."

(On circular.) "Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor and General Derangement of the System * * *."

"For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache * * *"

"For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head * * *"

"After Diphtheria, Scarlet Fever, Typhoid Fever and Pneumonia * * * Nervousness, Nervous Headaches, and Nervous Dyspepsia * * *"

"Eczema, Herpes, Psoriasis, Ringworm, Camp Itch * * * Distress after Eating, pains in the back, headache * * *"

"Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy and Dropsical Swellings * * * Syphilis and Scrofula * * * For Tumors, Ulcers, and Sores * * * For Skin Diseases, Eruption, Postules, * * * Boils * * * all diseases of the blood, bones and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat, and nasal cavities, and in all cases of animal or vegetable blood poisoning * * * Necrosis of the bone * * * Ulcerated or swollen glands, abscesses * * * carbuncles * * * hip disease, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver diseases * * *."

Misbranding of the article was alleged in the libel for the reason that the above quoted statements, borne on the cartons and circulars, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton and circular.

On March 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6645. Adulteration of catsup. U. S. * * * v. 200 Cases of Canned Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8900. I. S. No. 8558-p. S. No. C-852.)

On April 2, 1918, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 6 cans of catsup, at Austin, Tex., alleging that the article had been shipped on or about November 12, 1917, by the N. C. Barwise Packing Co., Fort Lupton, Colo., and transported from the State of Colorado into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Success Catsup. * * * Packed by the N. C. Barwise Packing Co., Fort Lupton, Colo."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On July 16, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6646. Adulteration of apple butter. U. S. * * * v. 955 Cases of Apple Butter and 120 Cases of Apple Butter. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 8901, 8902. I. S. Nos. 8946-p, 8947-p, 8948-p. S. Nos. C-850, C-851.)

On March 25, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 955 cases, each containing 48 jars, and 120 cases, each containing 24 jars, of apple butter, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the 955 cases were shipped on or about December 17, 1917, and transported from the State of Nebraska into the State of Missouri, and that the 120 cases were shipped on or about October 6, 1917, by the Dawson Brothers Manufacturing Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Dawson's Brand Pure Apple Butter. * * * Made by Dawson Bros. Mfg. Co."

Adulteration of the article in each shipment was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On May 16, 1918, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6647. Adulteration of tomato pulp. U. S. * * * v. 29 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8903. I. S. No. 6806-p. S. No. E-1002.)

On March 26, 1918, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 cases of tomato pulp, remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about December 22, 1917, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Diamond Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 21, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6648. Adulteration of catsup. U. S. * * * v. 50 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8906. I. S. No. 1061-p. S. No. E-1005.)

On March 26, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato catsup, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about February 25, 1918, and transported from the State of New York into the State of Connecticut, and alleging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Blue Ribbon Brand Tomato Catsup * * * Chas. Raab, Inc."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On August 15, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal at private sale.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6649. Misbranding of P P P Prickly Ash Poke Root Potassium and Stillingia. U. S. * * * v. 5 Cases * * * of P P P Prickly Ash Poke Root Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8908. I. S. No. 4228-p. S. No. E-1006.)

On March 30, 1918, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases, each containing one dozen bottles of "P P P Prickly Ash Poke Root Potassium and Stillingia," consigned by F. V. Lippmann, Savannah, Ga., remaining unsold in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped on or about March 19, 1918, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part:

(On the package) "P P P * * * a Valuable Remedy for Syphilis and Scrofulas and is recommended for Rheumatism, Gout, Old Sores, Glandular Enlargements, and all conditions arising from Blood Poison * * *"

(On the circular)" Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor, and General Derangement of the System * * *

"For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache * * *"

"For St. Anthony's Fire, Rose or Erysipelas, Tetter, Pimples, Salt Rheum, Scald Head * * *"

"After Diphtheria, Scarlet Fever, Typhoid Fever and Pneumonia, * * * Nervousness, Nervous Headaches, and Nervous Dyspepsia * * *"

"Eczema, Herpes, Psoriasis, Ringworm, Camp Itch * * * Distress after Eating, pains in the back, headache * * *"

"Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy and Dropsical Swellings * * * Syphilis and Scrofula * * * For Tumors, Ulcers and Sores * * * For Skin Diseases, Eruptions, Pustules, * * * Boils * * * all diseases of the blood, bones, and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat and nasal cavities, and in all cases of animal or vegetable blood poisoning * * * Necrosis of the bones * * * Ulcerated or swollen glands, abscesses * * * Carbuncles * * * Hip Disease, white swellings, King's evil, sore eyes of scrofulous origin, kidney and liver disease."

It was alleged in substance in the libel that the article was misbranded for the reason that the above quoted statements, borne on the cartons and circulars, regarding the curative and therapeutic effect of the article, were false and misleading and false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect claimed for it.

On May 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6650. Adulteration of tomato pulp. U. S. * * * v. 400 Cases of Tomato Pulp. Product ordered destroyed. (F. & D. No. 8909. I. S. No. 1480-p. S. No. E-1007.)

On or about April 3, 1918, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 48 cans of tomato pulp, consigned by the Southern Packing Co., Baltimore, Md., remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on or about November 15, 1917, and transported from the State of Maryland into the State of Florida, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Merit Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On January 10, 1919, no claimant having appeared for the property, it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

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Butter, process:		Blood:	
Harrow-Taylor Butter Co	6621	Mendenhall, J. C., Medicine	
Calomel tablets. <i>See</i> Tablets.		Co	6637
Catsup. <i>See</i> Tomato.		Milk:	
Citrate of magnesia:		Diamond, Douglass B.	6602
Nichols Pharmacy	6624	Diamond, John B., jr.	6603
Cognac. <i>See</i> Brandy.		Harding, Zachary	6601
Corn, canned:		Rosamond Dairy Co	6609
	6626	Newton's heave, cough, distemper,	
Cottonseed meal. <i>See</i> Feed.		and indigestion cure:	
Cough cure. <i>See</i> Cure.		Newton Remedy Co	6604
Cure, heave, cough, distemper and		Oats. <i>See</i> Feed.	
indigestion:		Oil, olive:	
Newton Remedy Co	6604	Economon, N. P., & Theo-	
Distemper cure. <i>See</i> Cure.		dos	6606, 6607, 6612
Eggs:		Zaloom, S. F., & Co	6635
Eaton, J. S., & Bro	6616	Olive oil. <i>See</i> Oil.	
Elixir of iron, quinine, and strychnine:		Oysters:	
Clemence, John S.	6614	Dobbins Fish Co	6640
Feed:		Peaches, slab:	
oats:		California Peach Growers	
cottonseed meal:		(Inc.)	6631
Halliday Elevator Co	6617	Pink root, granulated:	
Mount Pleasant Oil Mill	6611	Penick, S. B., & Co	*6629
Sherman Oil Mill	6608	P P P prickly ash poke root potas-	
mixed:		sium and stillingia:	
Wright Milling Co	6610	Lippman, F. V.	6633, 6644, 6649
Fish:		Pulp, tomato. <i>See</i> Tomato pulp.	
anchovies:		Quinine sulphate tablets. <i>See</i> Tab-	
Van Landingham, C. E., Co.	6619	lets.	
salmon:		Remedy, blood:	
Barnes, F. C., Co	6634	Mendenhall, J. C., Medicine	
sardines:		Co	6637
Van Landingham, C. E., Co.	6619	Salmon. <i>See</i> Fish.	
Heave cure. <i>See</i> Cure.		Sardines. <i>See</i> Fish.	
Hypodermic tablets. <i>See</i> Tablets.		Strychnine nitrate hypodermic tab-	
Indigestion cure. <i>See</i> Cure.		lets. <i>See</i> Tablets.	
Iron, quinine, and strychnine. <i>See</i>		Tablets:	
Elixir.		calomel:	
"Jarabe de Ambrozoin":		Drug Products Co	6636
American Apothecaries Co.	6642	quinine sulphate:	
Lung balm:		Drug Products Co	6636
Zaegel, M. R., & Co	6628	hypodermic, strychnine nitrate:	
		Columbus Pharmacal Co	6639

Tomato catsup:	N. J. No.	Vinegar:	N. J. No.
-----	6648	Gist-Leo Vinegar Co-----	6625
Barwise, N. C., Packing Co_	6645	Water:	
Brooks Tomato Products		Harris Springs Water Co--	6613
C -----	6627	mineral:	
Frazier Packing Co-----	6632	Robinson Springs Co-----	*6623
pulp:		spring:	
Booth Packing Co-----	6647	West Baden Springs Co---	6641
Gibbs Preserving Co-----	6630	West Baden sprudel concentrated	
Roberts Bros-----	6618, 6643	spring water. See Water.	
Southern Packing Co--	6622, 6650	Zaegel's Essence and Lung Balm:	
Turpentine, emulsion:		Zaegel, M. R., & Co-----	6628
Mount Pleasant Pharmacy-	6620		

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS SUPPLEMENT

N. J. 6651-6700

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 9, 1920]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

6651. Adulteration and misbranding of digester tankage. U. S. * * * v. 351 Bags * * * of Digester Tankage. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 8910, 8911. I. S. Nos. 15602-p, 15603-p, 15604-p. S. Nos. C-853, C-854.)

On March 28, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 351 bags, each containing 100 pounds of digester tankage, consigned on or about July 21, 1917, and November 9, 1917, by the Chicago Feed & Fertilizer Co., Indiana Harbor, Ind., and on or about August 4, 1917, by Field & Co., Owensboro, Ky., remaining unsold in the original unbroken packages at Piqua, Ohio, alleging that the article had been shipped and transported from the States of Indiana and Kentucky into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Magic Digester Hog Tankage * * * Protein, 60 per cent."

Adulteration of the article was alleged in the libel for the reason that certain substances—to wit, glass and sand—had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration of the article was alleged for the further reason that said glass and sand were poisonous and deleterious ingredients which rendered the article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article—to wit, digester tankage containing 60 per cent protein—whereas, in truth, it contained less than 60 per cent protein; and for the further reason that the article was so branded so as to deceive and mislead the purchaser.

On May 4, 1918, the Chicago Feed & Fertilizer Co., Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that the product should be relabeled under the supervision of a representative of this department, so as to show the contents to be a fertilizer and not a food for human or animal consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6652. Adulteration of sardines. U. S. * * * v. 27 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8912. I. S. No. 16232-p. S. No. W-219.)

On March 29, 1918, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure of 27 cases, each containing 48 cans of sardines, consigned on or about November 23, 1917, by Stone, Ordean & Wells Co., Duluth, Minn., remaining unsold in the original unbroken packages at San Diego, Calif., and transported from the State of Minnesota into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "S & D Brand California Sardines."

Adulteration of the article was alleged in the libel for the reason that the sardines consisted in whole or in part of a filthy, decomposed, and putrid animal matter.

On June 20, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6653. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases of So-called Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8915. I. S. No. 1368-p. S. No. E-1009.)

On March 30, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of five cases of so-called olive oil, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about January 19, 1918, by Garra & Trusso, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "One Full Gallon Pure Extra Fine Olive Oil Extra 1 Imported from Lucca Tuscany Italy."

Adulteration of the article was alleged in the libel for the reason that there had been mixed and packed therewith cottonseed oil so as to reduce and lower and injuriously affect its quality and strength, and cottonseed oil had been substituted in part for the product purporting to be olive oil.

Misbranding of the article was alleged for the reason that the labels of the cans bore certain statements regarding the article which were false and misleading, that is to say, the words "Olive Oil," which statement and words were intended to be of such a character as to induce the purchaser to believe that the article was olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that the labels on the cans bore the statement, "One Full Gallon," whereas there was a shortage of 7.11 per cent in each purported gallon, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On December 14, 1918, the said Garra & Trusso, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings, and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6654. Adulteration and misbranding of olive oil. U. S. * * * v. 200 Cans of Olive Oil. Product ordered released on bond. (F. & D. No. 8917. I. S. No. 2685-p. S. No. E-1010.)

On April 8, 1918, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cans of olive oil, consigned by A. L. Mihaloplos & Co., Boston, Mass., remaining unsold in the original unbroken packages at Lewiston, Me., alleging that the article had been shipped on December 5, 1917, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Kilkis Brand * * * Pure Olive Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article labeled olive oil.

Misbranding of the article was alleged in substance for the reason that the statement borne on the cans—to wit, "Kilkis Brand * * * Pure Olive Oil * * *"—was false and misleading in that each of the cans did not contain pure olive oil, but the contents consisted largely of cottonseed oil.

On May 10, 1918, James Kesaris, Lewiston, Me., claimant, having filed a bond in the sum of \$750, in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant upon the payment of the cost of proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6655. Adulteration of catsup. U. S. * * * v. 922 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8918. I. S. No. 8944-p. S. No. C-864.)

On April 3, 1918, the United States attorney for the Western District of Missouri, acting upon report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 922 cases of tomato catsup, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about November 8, 1917, by the Goddard Packing Co., Ogden, Utah, and transported from the State of Utah into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On August 1, 1919, the said Goddard Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be shipped to Ogden, Utah, for reprocessing under the supervision of a representative of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6656. Adulteration and misbranding of digester tankage. U. S. * * * v. 10 Bags * * * of Digester Tankage. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8919. I. S. No. 15605-p. S. No. C-861.)

On April 3, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bags, each containing 100 pounds of digester tankage, consigned on or about June 12, 1917, by the Chicago Feed & Fertilizer Co., Indiana Harbor, Ind., remaining unsold in the original unbroken packages, at Versailles, Ohio, alleging that the article had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Magic Digester Hog Tankage. * * * Protein 60 per cent."

Adulteration of the article was alleged in the libel for the reason that certain substances—to wit, glass and sand—had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration of the article was alleged for the further reason that said glass and sand were poisonous and deleterious ingredients which rendered the article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit—digester tankage containing 60 per cent protein—whereas, in truth, it contained less than 60 per cent protein; and for the further reason that the article was so branded so as to deceive and mislead the purchaser.

On May 11, 1918, the Chicago Feed & Fertilizer Co., Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs in the proceedings and the execution of a bond in the sum of \$100, conditioned in part that the product should be relabeled under the supervision of a representative of this department, so as to show the contents to be a fertilizer and not a food for human or animal consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6657. Adulteration and misbranding of digester tankage. U. S. v. 10 Bags * * * of * * * Digester Tankage. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8920. I. S. No. 15601-p. S. No. C-862.)

On April 3, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bags, each containing 100 pounds of digester tankage, consigned on or about July 21, 1917, by the Chicago Feed and Fertilizer Co., Indiana Harbor, Ind., remaining unsold in the original unbroken packages at Gettysburg, Ohio, alleging that the product had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Magic Digester Hog Tankage. * * * Protein 60 per cent."

Adulteration of the article was alleged in the libel for the reason that certain substances—to wit, glass and sand—had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration of the article was alleged for the further reason that said glass and sand were poisonous and deleterious ingredients which rendered the article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article—to wit, digester tankage containing 60 per cent protein—whereas, in truth, it contained less than 60 per cent protein; and for the further reason that the article was so branded so as to deceive and mislead the purchaser.

On May 11, 1918, the Chicago Feed & Fertilizer Co., Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs in the proceedings and the execution of a bond in the sum of \$100, conditioned in part that the product should be relabeled under the supervision of a representative of this department, so as to show the contents to be a fertilizer and not a food for human or animal consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6658. Misbranding of Sal-Sano. U. S. * * * v. Ernst Bischoff (Sal-Sano Co.). Plea of guilty. Fine, \$100. (F. & D. No. 8921. I. S. No. 1102-p.)

On May 7, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ernst Bischoff, trading as Sal-Sano Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 19, 1917, from the State of New York into the State of New Jersey, of a quantity of an article labeled in part "Sal-Sano," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	3.2
Sodium chlorid (per cent)-----	19.9
Sodium phosphate (per cent)-----	13.6
Sodium bicarbonate (per cent)-----	42.2
Sodium sulphate (per cent)-----	20.0
Small amounts of iron, aluminum, and potassium salts were present as incidental impurities.	

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the boxes containing it falsely and fraudulently represented it as a remedy, treatment, and cure for diabetes, when, in truth and in fact, it was not.

On December 11, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6659. Misbranding of macaroni and spaghetti. U. S. * * * v. Mercurio Brothers Spaghetti Mfg. Co., a corporation. Plea of guilty. Fine, \$65 and costs. (F. & D. No. 8928. I. S. Nos. 10651-m, 10652-m.)

On June 17, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mercurio Brothers Spaghetti Manufacturing Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 10, 1917, and April 6, 1917, from the State of Missouri into the State of Iowa, of quantities of articles labeled in part, "Columbia Brand Macaroni * * * 12 Oz. Net," or "Columbia Brand Spaghetti," which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed that 20 cartons of the macaroni weighed from 8.20 to 9.40 ounces net—average weight, 8.91 ounces; shortage, 35.36 per cent. The weight of the spaghetti was not declared, but 2 cartons weighed 8.80 and 8.85 ounces net.

Misbranding of the macaroni was alleged in the information for the reason that the statement—to wit, "12 Oz. Net"—borne on the packages containing the article, regarding it, was false and misleading, in that it represented that the packages contained 12 ounces net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the packages contained 12 ounces net of the article, whereas, in truth and in fact, they did not, but contained a less amount. Misbranding of the article in each of the shipments was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 19, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$65 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6660. Adulteration and misbranding of apple cider vinegar. U. S. * * *
v. John J. Black (Black's Cider & Vinegar Co.). Plea of guilty.
 Fine, \$400. (F. & D. No. 7406. I. S. Nos. 14160-k, 14161-k, 14162-k,
 14163-k.)

On January 31, 1917, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Black, trading as Black's Cider & Vinegar Co., Durand, Wis., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about May 28, 1915 (4 shipments), from the State of Wisconsin into the State of Minnesota, of quantities of an article labeled in part, "Guaranteed Apple Cider Vinegar," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Determination.	First shipment.	Second shipment.	Third shipment.	Fourth shipment.
Alcohol (per cent by volume).....	2.00	2.00	1.76	1.10
Glycerin (gram per 100 cc.).....	.05	.11	.09	.15
Solids (gram per 100 cc.).....	.96	1.97	.91	1.13
Nonsugar solids (per cent).....	.89	1.89	.83	1.04
Reducing sugar direct (gram per 100 cc.)....	.04	.09	.07	.10
Ash (gram per 100 cc.).....	.21	.16	.21	.19
Ash in nonsugar solids (per cent).....	23.6	8.5	25.3	18.3
Acidity, as acetic (grams per 100 cc.).....	3.76	3.12	3.46	4.15
Fixed acid, as malic (gram per 100 cc.).....	.09	.09	.09	.06
Lead precipitate.....	(¹)	(¹)	(¹)	(¹)
Color (degrees, brewer's scale, 0.5 inch).....	8.0	6.5	5.0	8.5
Formic acid (mg. per 100 cc.).....	24.7	26.6	24.5	29.3

¹ Light.

Adulteration of the article in each shipment was alleged in the information for the reason that certain substances, to wit, water and acetic acid, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for apple cider vinegar fortified to $4\frac{1}{2}$ acid strength, which the article purported to be.

Misbranding of the article in each shipment was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein borne on the label—to wit, "Guaranteed Apple Cider Vinegar Fortified with A. A. to $4\frac{1}{2}$ Standard Strength"—was false and misleading in that it indicated to purchasers thereof that the article consisted of apple cider vinegar fortified to $4\frac{1}{2}$ per cent acid strength, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article consisted of apple cider vinegar fortified to $4\frac{1}{2}$ per cent acid strength, when, in truth and in fact, it did not consist of apple cider vinegar fortified to $4\frac{1}{2}$ per cent acid strength, and for the further reason that it was an imitation of apple cider vinegar, and was offered for sale under the distinctive name of another article—to wit, apple cider vinegar fortified to $4\frac{1}{2}$ per cent acid strength.

On March 15, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$400.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6661. Adulteration and misbranding of Apollinaris mineral water. U. S. * * * v. Standard Bottling & Extract Co. (American Apollinaris Co.), a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 7984. I. S. No. 4327-1.)

On March 3, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Standard Bottling & Extract Co., a corporation, Boston, Mass., alleging shipment by said company in the name of the American Apollinaris Co., in violation of the Food and Drugs Act, as amended, on or about December 6, 1915, from the State of Massachusetts into the State of Connecticut, of a quantity of an article labeled in part, "American Apollinaris Mineral Water," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

IONS.

Silica (SiO_2)	2.2
Sulphate (SO_4)	24.0
Bicarbonate (HCO_3)	1450.0
Chlorin (Cl)	400.0
Calcium (Ca)	4.6
Magnesium (Mg)	3.8
Potassium (K) and sodium (Na) by difference	205.1
	<hr/> 2689.7

HYPOTHETICAL COMBINATIONS.

Sodium chlorid (NaCl)	659.4
Sodium sulphate (Na_2SO_4)	35.5
Sodium bicarbonate (NaHCO_3)	1951.1
Magnesium bicarbonate ($\text{Mg}(\text{HCO}_3)_2$)	22.9
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	18.6
Silica (SiO_2)	2.2
	<hr/> 2689.7

Adulteration of the article was alleged in the information for the reason that a certain substance—to wit, a product other than Apollinaris water—had been substituted in whole or in part for Apollinaris water, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements regarding the article and the ingredients and substances contained therein appearing on the label—to wit, "Apollinaris" and "American Apollinaris Mineral Water"—were false and misleading in that they represented to purchasers that the article was Apollinaris water; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was Apollinaris water, when, in truth and in fact, it was not Apollinaris water; and for the further reason that it was an imitation product consisting of, to wit, a substance other than Apollinaris water, and was offered for sale under the distinctive name of another article, to wit, Apollinaris water. Misbranding of the article was alleged for the further reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously stated on the outside of the package in terms of weight, measure, or numerical count.

On September 30, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6662. Misbranding of spring water. U. S. * * * v. Hinckley & Schmitt, Inc., a corporation. Plea of guilty. Fine, 1 cent and costs. (F. & D. No. 8060. I. S. No. 11460-1.)

On April 30, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hinckley & Schmitt, a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 28, 1916, from the State of Illinois into the State of Iowa, of a quantity of an article labeled in part, "Robinson Spring Water," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

IONS.

Silica (SiO_2)	40.6
Sulphate (SO_4)	182.6
Bicarbonate (HCO_3)	37.0
Chlorin (Cl)	86.0
Calcium (Ca)	46.3
Magnesium (Mg)	15.8
Potassium (K) and sodium (Na) by difference	74.1
	<hr/> 482.4

HYPOTHETICAL COMBINATIONS.

Sodium chlorid (NaCl)	141.8
Sodium sulphate (Na_2SO_4)	56.6
Magnesium sulphate (MgSO_4)	78.2
Calcium sulphate (CaSO_4)	116.0
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	49.2
Silica (SiO_2)	40.6
	<hr/> 482.4

Misbranding of the article was alleged in the information for the reason that, although the article of food was in package form, the quantity of the contents of said package was not plainly or conspicuously marked on the outside thereof in terms of weight, measure, or numerical count. It was alleged in substance that the article was misbranded for the further reason that certain statements borne on the label falsely and fraudulently represented the article as a remedy for Bright's disease, diabetes, dropsy, cystitis, gout, rheumatism, indigestion, and kidney and bladder troubles, when, in truth and in fact, it was not.

On December 31, 1917, the defendant company entered a plea of guilty to the information, and on October 15, 1919, the court imposed a fine of 1 cent and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6663. Misbranding of horse feed and dairy feed. U. S. * * * v. Baltimore Pearl Hominy Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8560. I. S. Nos. 6458-p, 6459-p.)

On October 29, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Baltimore Pearl Hominy Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 25, 1918, from the State of Maryland into the Island of Porto Rico, of a quantity of articles labeled in part, "Horse Feed," and "Dairy Feed," and "Manufactured by Baltimore Pearl Hominy Co., Baltimore, Md." which were misbranded.

Analysis of a sample of the articles by the Bureau of Chemistry of this department showed the following results:

	Horse feed.	Dairy feed.
Protein (per cent)-----	10.27	15.71

Misbranding of the horse feed was alleged in the information for the reason that the statement—to wit, "Guaranteed Analysis Protein 12 per cent * * *"—borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 12 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 12 per cent of protein, whereas, in truth and in fact, it contained less than 12 per cent of protein—to wit, approximately 10.27 per cent of protein.

Misbranding of the "Dairy Feed" was alleged for the reason that the statement, "Guaranteed Analysis Protein 20 per cent * * *," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 20 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 20 per cent of protein, whereas, in truth and in fact, it contained less than 20 per cent of protein, to wit, approximately 15.71 per cent of protein.

On October 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6664. **Misbranding of Indian Wyanoke. U. S. * * * v. Albert M. Follett (Park & Russell Co.). Plea of guilty. Fine, \$25 and costs.**
(F. & D. No. 8610. I. S. No. 2829-m.)

On July 27, 1918, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert M. Follett, trading as Park & Russell Co., Concord, N. H., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 11, 1917, from the State of New Hampshire into the State of Massachusetts, of a quantity of an article labeled in part, "Indian Wyanoke," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of chloroform, ammonia, menthol, glycerin, turpentine-like oils, alcohol, and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a remedy for every form of external or internal congestion, soreness, pain, inflammation, injury, or disease, especially of the throat and lungs; acute, chronic, malignant, or diphtheritic sore throat, tonsilitis, swollen glands, coughs, colds, catarrh, croup, consumption, pleurisy, and pneumonia, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented it as a treatment for every form of membranous congestion, including diphtheria, pleurisy, and pneumonia, and as a remedy for all forms of acute, chronic, and diphtheritic sore throat, as a cure for malignant sore throat, as a treatment for incipient consumption, as a remedy for croup, whooping cough, pneumonia, pleuro-pneumonia, lung congestion, lung fever, catarrh, hay fever, deafness, ringing in the ears, sores in the head, sore eyes, granulations and inflammations of the lids, sore nose, tick dolooureux [tic douloureux], rheumatism, rheumatic headache, muscular disorders, stiff neck, lame back, spinal irritability, numbness, incipient or creeping paralysis, and palsy, as a preventive of hydrophobia, and tetanus or lock jaw, as a remedy for hives, Cuban itch, salt rheum, eczema, felons, run-round, whitlow, boils, carbuncles, eruptions, enteritis, peritonitis, appendicitis, baldness, dandruff and falling hair, when, in truth and fact, it was not.

On April 17, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6665. Misbranding of Ferro-Manganese water. U. S. * * * v. Excelsior Springs Mineral Water & Bottling Co., a corporation. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 8658. I. S. No. 11663-m.)

On October 1, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Excelsior Springs Mineral Water & Bottling Co., a corporation, Excelsior Springs, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 7, 1917, from the State of Missouri into the State of Illinois, of a quantity of an article labeled in part, "Ferro-Manganese Regent Spring * * * a strong chalybeate water * * *," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

IONS.

Arsenic acid (AsO_4)	0.1
Silica (SiO_2)	15.8
Sulphuric acid (SO_4)	67.5
Bicarbonic acid (HCO_3)	326.2
Chlorin (Cl)	121.0
Iron (Fe) and aluminum (Al)	10.1
Manganese (Mn)	2.2
Calcium (Ca)	112.5
Magnesium (Mg)	12.5
Potassium (K), sodium (Na)	68.4
Ammonium (NH_4)	2.0
	<hr/> 738.3 <hr/>

HYPOTHETICAL COMBINATIONS.

Ammonium chlorid (NH_4Cl)	5.9
Sodium arsenate (Na_3AsO_4)	.2
Sodium chlorid (NaCl)	173.7
Magnesium chlorid (MgCl_2)	15.7
Magnesium sulphate (MgSO_4)	41.8
Calcium sulphate (CaSO_4)	48.4
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	397.5
Ferrous bicarbonate ($\text{Fe}(\text{HCO}_3)_2$)	32.2
Manganous bicarbonate ($\text{Mn}(\text{HCO}_3)_2$)	7.1
Silica (SiO_2)	15.8
	<hr/> 738.3 <hr/>

Artificially carbonated.

The contents of five bottles averaged 1 pint 9 fluid ounces.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements borne on the labels of the bottles falsely and fraudulently represented it as a remedy for alcoholism, chronic rheumatism, dyspepsia, diabetes, Bright's disease, albuminuria, dropsy, sciatica, and insomnia, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the article was alleged for the

further reason that the statements—to wit, “Ferro-Manganese,” “Regent Spring,” “Nature’s Remedy,” and “A Strong Chalybeate Water”—borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a natural Spring water, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a natural mineral spring water, whereas, in truth and in fact, it was not, but was an artificial carbonated water.

On December 23, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6666. Misbranding of cottonseed feed. U. S. * * * v. Hunt County Oil Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 8670. I. S. No. 20346-m.)

On February 23, 1918, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hunt County Oil Co., a corporation, Wolfe City, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 6, 1917, from the State of Texas into the State of Kansas, of a quantity of an article labeled in part, "First Grade Cracked Cotton Seed Feed, * * * Protein 43.00 per cent * * * Hunt County Oil Company, Wolfe City, Texas," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Protein (per cent)----- 40.00

This analysis shows the product to contain less than 43 per cent protein.

Misbranding of the article was alleged in the information for the reason that the statement—to wit, "Protein 43.00 per cent"—borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 43 per cent of protein; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 43 per cent of protein, whereas, in truth and in fact, it did not contain 43 per cent of protein but contained a less amount—to wit, 40 per cent of protein.

On July 5, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6687. Adulteration of cottonseed meal. U. S. * * * v. Planters Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8772. I. S. No. 19661-m.)

On or about March 26, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Cotton Oil Co., a corporation, Pine Bluff, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 29, 1916, from the State of Arkansas into the State of Indiana, of a quantity of cottonseed meal which was adulterated. The article was sold under a contract calling for "Prime 7½% Ammonia Cottonseed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Ammonia (NH₃) (per cent)----- 7.0

Adulteration of the article was alleged in the information for the reason that cottonseed meal containing less than 7½ per cent of ammonia had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for 7½ per cent ammonia cottonseed meal, which the article purported to be.

On April 15, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6668. Misbranding of cottonseed cake. U. S. * * * v. Lamar Cotton Oil Co., a corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 8819. I. S. No. 21690-m.)

On May 7, 1918, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lamar Cotton Oil Co., a corporation, Paris, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 7, 1917, from the State of Texas into the State of New Mexico, of a quantity of an article labeled in part, "Cracked Cake, Manufactured by Lamar Cotton Oil Co., Paris, Texas. * * * Crude Protein, 44.00%," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Crude protein (per cent)----- 39.31

Misbranding of the article was alleged in the information for the reason that the statement—to wit, "Crude Protein 44.00 per cent"—borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 44 per cent of crude protein; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 44 per cent of crude protein, whereas, in truth and in fact, it contained less than 44 per cent of crude protein—to wit, approximately 39.31 per cent of crude protein.

On October 29, 1918, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6669. *Misbranding of cottonseed cake and cottonseed meal. U. S. * * **
v. Conway Cotton Oil & Gin Co., a corporation. Plea of guilty.
 Fine, \$50. (F. & D. No. 8822. I. S. Nos. 19705-m, 20078-m.)

On April 1, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Conway Cotton Oil & Gin Co., a corporation, Conway, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 23, 1916, and December 4, 1916, from the State of Arkansas into the States of Iowa and Illinois, respectively, of quantities of articles labeled in part, "Butterfly Brand Meal Cotton Seed Cake," and "Owl Brand High-Grade Cotton Seed Meal," respectively, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Cottonseed cake.	Cottonseed meal.
Nitrogen (per cent)-----		6.06
Ammonia (per cent)-----		7.36
Protein (per cent)-----	35.4	37.9
Crude fiber (per cent)-----	16.4	11.8

Misbranding of the cottonseed cake was alleged in substance in the information for the reason that the statement, "Protein 39 to 43% Crude fiber 8 to 12%," borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 39 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 39 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less protein and more fiber than was declared on the label—to wit, approximately 35.4 per cent of protein and 16.4 per cent of crude fiber.

Misbranding of the cottonseed meal was alleged in substance for the reason that the statement, "Ammonia 8% Protein 41% Nitrogen 6½% Fiber, Maximum 10%," borne on the label, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, 41 per cent of protein and 6½ per cent of nitrogen, and not more than 10 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 8 per cent of ammonia, 41 per cent of protein and 6½ per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less ammonia, protein, and nitrogen, and more fiber than was declared on the label—to wit, approximately 7.36 per cent of ammonia, 37.9 per cent of protein, 6.06 per cent of nitrogen, and 11.8 per cent of fiber.

On April 8, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6670. Misbranding of Gregory's Antiseptic Oil. U. S. * * * v. C. J. Lincoln Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8825. I. S. No. 9524-p.)

On April 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the C. J. Lincoln Co., a corporation, Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about August 27, 1917, from the State of Arkansas into the State of Tennessee, of a quantity of an article labeled in part, "Gregory's Antiseptic Oil," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the preparation consisted of approximately 89 per cent kerosene oil, small amounts of oil of cloves, oil of cassia, oil of sassafras, and a trace of camphor and pepper resins.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the carton, bottle label, and circular falsely and fraudulently represented it as a treatment for, and as a remedy and cure for, neuralgia, rheumatism, pneumonia, lung troubles, asthma, coughs, pleurisy, backache, burns, headache, flux, all bowel complaints, sore throat, catarrh of stomach or bowels, consumption, kidney troubles, blind staggers, distemper, glanders, fistula, poli evil, bighead, bigjaw, sweeny, black-leg, and hog cholera, whereas, in truth and in fact, it was not.

On April 15, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6671. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Warren Cotton Oil and Mfg. Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8826. I. S. No. 19713-m.)

On July 8, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warren Cotton Oil & Manufacturing Co., a corporation, Warren, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 11, 1916, from the State of Arkansas into the State of Iowa, of a quantity of cottonseed meal, which was adulterated and misbranded. The article was unlabeled, but was sold under contract as "Good seven per cent ammonia cottonseed meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Ammonia (per cent)----- 6.18

Adulteration of the article was alleged in the information for the reason that a product containing less than 7 per cent of ammonia had been substituted in whole or in part for 7 per cent ammonia cottonseed meal, which the article purported to be.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 15, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6672. Adulteration of milk. U. S. * * * v. Marissa Creamery Co., a corporation. Defendant in default. Fine, \$200 and costs. (F. & D. No. 8885. I. S. No. 10080-p.)

On August 5, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Marissa Creamery Co., a corporation, Marissa, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 13, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Lactometer reading, 60° F-----	23.8
Fat by Babcock (per cent)-----	3.7
Solids not fat (Babcock formula) (per cent)-----	6.69
Total solids (Babcock formula) (per cent)-----	10.39
Total solids by drying (per cent)-----	10.35
Refractive index, 20° C. on serum-----	34.0
Nitrates: Positive.	

This examination shows the product to contain added water.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for milk, which the article purported to be.

On June 13, 1919, the case having come on for disposition and the defendant having failed to appear, the court imposed a fine of \$200 and costs, in default of such appearance.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6673. Misbranding of McGraw's Liquid Herbs of Youth. U. S. * * * v. George W. McGraw (McGraw Remedy Co.). Plea of guilty. Fine, \$10. (F. & D. No. 8896. I. S. No. 10518-m.)

On May 1, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George W. McGraw, trading as McGraw Remedy Co., Little Rock, Ark., alleging shipment on or about December 19, 1916, by said defendant, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Missouri, of a quantity of an article labeled in part, "McGraw's Liquid Herbs of Youth," which was misbranded.

Analyses of a sample of the article by the Bureau of Chemistry of this department showed that it contained essentially Epsom salt, senna, red pepper, quassia, alcohol, and water, flavored with methyl salicylate.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, appearing on the cartons inclosing the bottles containing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all stomach, liver, and kidney diseases, scrofula, scrofulous humors, rheumatism, scald head, syphilitic affections, cancerous humor, ring worms, salt rheum, boils, pimples, and humors on the face, catarrh, headache, dizziness, faintness at the stomach, pains in the back, female weakness, or all diseases arising from an impure state or low condition of the blood, and effective to invigorate the nervous system and tone and strengthen the digestive organs, and impart new life and energy to all functions of the body, to strengthen and build up the system, while it eradicates disease, when, in truth and in fact, it was not.

On September 26, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6674. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Ripley Oil Mills, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8929. I. S. No. 19660-m.)

On May 23, 1918, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ripley Oil Mills, a corporation, Ripley, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on February 2, 1917, from the State of Tennessee into the State of Illinois, of a quantity of an article labeled in part, "Star Brand Cottonseed Meal * * * Protein 36 per cent," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Protein (per cent)----- 33.1

Adulteration of the article was alleged in the information for the reason that a substance containing less than 36 per cent of protein had been substituted for cottonseed meal containing 36 per cent of protein, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Protein 36 per cent," borne on the label, concerning the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein, whereas, in truth and in fact, it contained less than 36 per cent of protein—to wit, approximately 33 per cent of protein.

On November 7, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6675. Adulteration of milk. U. S. * * * v. George F. Pierce, jr. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8932. I. S. No. 9503-m.)

On November 12, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George F. Pierce, jr., East Killingly, Conn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 10, 1917, from the State of Connecticut into the State of Rhode Island, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total solids (by drying) (per cent)-----	10.79
Fat (by Babcock) (per cent)-----	2.80
Solids not fat (per cent)-----	7.99
Ash (per cent)-----	.63
Refraction copper serum at 20° C-----	36.5
Refraction sour milk serum at 20° C-----	39.25
This analysis indicates that butter fat has been in part abstracted.	

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof—to wit, butter fat—had been wholly or in part abstracted.

On December 3, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6676. Adulteration and misbranding of frozen eggs. U. S. * * * v. Harry Stein and Henry Stein (Stein Bros. Co.). Pleas of nolo contendere. Fine, \$50. (F. & D. No. 8935. I. S. No. 10848-m.)

On October 16, 1918, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Stein and Henry Stein, copartners, trading under the name of Stein Brothers Company, Pittsburgh, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about December 8, 1916, from the State of Pennsylvania into the State of Ohio, of a quantity of frozen eggs which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total solids (per cent)-----	30.95
Ether extract (per cent)-----	14.81
Folin ammonia (milligrams of nitrogen per 100 grams)-----	7.1

The product had a bad odor and contained pieces of egg shells with spots. A number of whole yolks were also found.

Adulteration of the article was alleged in the information for the reason that an excessive amount of yolks had been mixed and packed therewith so as to lower or reduce its quality, and had been substituted in part for whole eggs, which the article purported to be; and for the further reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 28, 1918, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6677. Adulteration of tomato sauce. U. S. * * * v. Thomas Page. Plea of guilty. Fine, \$150. (F. & D. No. 8988. I. S. No. 2653-p.)

On October 22, 1918, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas Page, Albion, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on October 2, 1917, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Tripoli Brand Tomato Sauce * * * Packed by Thomas Page, Albion, N. Y., U. S. A.," which was adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that this paste was manufactured from decomposed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On November 12, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$150.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6678. Misbranding of P P P Prickly Ash, Poke Root, Potassium and Stillingia. U. S. * * * v. 6 Cases * * * of P P P Prickly Ash, Poke Root, Potassium and Stillingia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8945. I. S. No. 4233-p. S. No. E-1014.)

On or about April 12, 1918, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cases, each containing one dozen bottles of P P P Prickly Ash, Poke Root, Potassium and Stillingia, consigned by F. V. Lippman, Savannah, Ga., remaining unsold in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped on or about March 22, 1918, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled: (On package) "P P P—A valuable remedy for syphilis and scrofulas and is recommended for rheumatism, gout, old sores, glandular enlargements, and all conditions arising from blood poison—" (In circular) "Liver Complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor and General Derangement of the System—" "For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache—" "For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head—" "After Diphtheria, Scarlet Fever, Typhoid Fever, and Pneumonia—" "Nervousness, Nervous Headaches, and Nervous Dyspepsia—" "Eczema, Herpes, Psoriasis, Ringworm, Camp Itch—" "Distress after eating, pains in the back, headache—" "Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy, and Dropsical Swellings—" "Syphilis and Scrofula—" "For Tumors, Ulcers and Sores—" "For Skin Diseases, Eruptions, Postules,—Boils—all diseases of the blood, bone and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat and nasal cavities, and in all cases of animal or vegetable blood poisoning—" "Necrosis of the Bone,—Ulcerated or swollen glands, abscesses—carbuncles—hip disease, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver disease."

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, borne on the cartons and circulars, regarding the curative and therapeutic effect of the article, were false and misleading; and for the further reason that said statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect claimed for it.

On May 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6679. Adulteration of catsup. U. S. * * * v. 858 Cases of Tomato Catsup. Product ordered released on bond. (F. & D. No. 8954. I. S. No. 8945-p. S. No. C-867.)

On April 9, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 858 boxes, each containing 36 bottles of tomato catsup, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about October 31, 1917, from Collinsville, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part, "Brooks Tabasco Flavor Catsup. * * * Brooks Tomato Products Co., Collinsville, Ill."

Adulteration of the article was alleged in the libel, for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On May 19, 1919, the Brooks Tomato Products Co., Collinsville, Ill., claimant, having consented to a decree, it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6680. Adulteration of canned salmon. U. S. * * * v. 730 Cases of Cable Brand Canned Salmon. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8958. S. No. C-899.)

On April 17, 1918, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 730 cases, each containing 4 dozen cans of salmon, remaining unsold in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped on or about November 20, 1917, by F. C. Barnes Co., Portland, Oreg., and transported from the State of Oregon into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part, "Cable Brand * * * Fancy Pink Alaska Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed and putrid animal substance.

On February 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, the purchaser or purchasers thereof to execute a bond in the sum of \$500, conditioned that the 511 cases should not be sold, disposed of, or used as food for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6681. Alleged adulteration of tomato paste and tomato sauce. U. S. * * * v. 69 Cases * * * of Tomato Paste, and U. S. * * * v. 250 Cases * * * of Tomato Sauce. Tried to the court. Finding for claimants. (F. & D. Nos. 8963, 8990. I. S. Nos. 12009-p, 12010-p. S. Nos. C-871, C-873.)

On April 13, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 69 cases, each containing 200 cans of tomato paste, and 250 cases, each containing 200 cans of tomato sauce, at Chicago, Ill., alleging that the 69 cases had been shipped on December 14, 1917, and the 250 cases on December 15, 1917, by Winters & Prophet Canning Co., Mount Morris, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels for the reason that it consisted in part of a decomposed vegetable substance.

On May 18, 1918, R. Gerber & Co., Chicago, Ill., and Winters & Prophet Canning Co., Mount Morris, N. Y., filed their answers to the libels as intervening claimants, denying the material allegations of the same. On March 3, 1919, the cases having come on for trial before the court, after the submission of evidence and arguments by counsel, the court on March 5, 1919, made a finding in favor of the claimants.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6682. Adulteration and misbranding of acetanilid tablets, nitroglycerin tablets, acetyl salicylic acid tablets, acetphenetidin and salol tablets, and quinine sulphate tablets. U. S. * * * v. Carroll Dunham Smith Pharmacal Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8968. I. S. Nos. 1127-p, 1128-p, 1129-p, 1130-p, 1131-p.)

On August 22, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carroll Dunham Smith Pharmacal Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 25, 1917, from the State of New York into the State of New Jersey, of quantities of articles labeled in part, "acetanilid tablets," "nitroglycerine tablets," "acetyl salicylic acid tablets," "acetphenetidin and salol tablets," and "quinine sulphate tablets," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

ACETANILID TABLETS.

Acetanilid (grains per tablet)-----	2.98
Shortage from declared amount (per cent)-----	40

NITROGLYCERIN TABLETS.

Nitroglycerin (grain per tablet)-----	0.0139
Shortage from declared amount (per cent)-----	30

ACETYLSALICYLIC ACID TABLETS.

Acetylsalicylic acid (grains per tablet)-----	4.24
Shortage from declared amount (per cent)-----	15

ACETPHENETIDIN AND SALOL TABLETS.

Acetphenetidin (grain per tablet)-----	4.37
Shortage from declared amount (per cent)-----	85
Salol (grains per tablet)-----	1.45
Shortage from declared amount (per cent)-----	42
Acetanilid (grain per tablet)-----	0.50

QUININE SULPHATE TABLETS.

Quinine sulphate (grains per tablet)-----	1.36
Shortage from declared amount (per cent)-----	33

Adulteration of the article labeled "acetanilid tablets" was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 5 grains of acetanilid per tablet, to wit, 2.98 grains of acetanilid per tablet, and was sold as a product which contained 5 grains of acetanilid per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetanilid 5 grs. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the tab-

lets contained in the bottles each contained not less than 5 grains of acetanilid, whereas, in truth and in fact, each of said tablets did not contain 5 grains of acetanilid, but contained a less amount, to wit, approximately 2.98 grains of acetanilid; and for the further reason that said article contained acetanilid and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Adulteration of the article labeled "Nitroglycerine Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 1/50 grain of nitroglycerin per tablet, and was sold as a product which contain 1/50 grain of nitroglycerin per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Nitroglycerine 1/50 gr. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the tablets contained in said bottle each contained not less than 1/50 grain of nitroglycerin, whereas, in truth and in fact, the tablets contained in said bottles each did not contain 1/50 grain of nitroglycerin, but did contain a less amount, to wit, approximately 0.0139 grain of nitroglycerin.

Adulteration of the article labeled "Acetylsalicylic Acid Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 5 grains of acetylsalicylic acid per tablet, to wit, 4.24 grains of acetylsalicylic acid, and was sold as a product which contained not less than 5 grains of acetylsalicylic acid per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetylsalicylic Acid 5 Grains * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the tablets contained in the bottles each contained not less than 5 grains of acetylsalicylic acid, whereas, in truth and in fact, each of said tablets did not contain 5 grains of acetylsalicylic acid, but contained a less amount, to wit, approximately 4.24 grains of acetylsalicylic acid.

Adulteration of the article labeled "Acetphenetidin and Salol Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than $2\frac{1}{2}$ grains of acetphenetidin, and less than $2\frac{1}{2}$ grains of salol per tablet, to wit, 0.37 grain of acetphenetidin and 1.45 grains of salol per tablet, and was sold as a product which contained $2\frac{1}{2}$ grains of acetphenetidin and $2\frac{1}{2}$ grains of salol per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Acetphenetidin $2\frac{1}{2}$ grs. Salol $2\frac{1}{2}$ grs. * * * Tablets," borne on the label attached to the bottle, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that said tablets each contained not less than $2\frac{1}{2}$ grains of acetphenetidin and not less than $2\frac{1}{2}$ grains of salol, whereas, in truth and in fact, said tablets each did contain less than $2\frac{1}{2}$ grains of acetphenetidin and less than $2\frac{1}{2}$ grains of salol, to wit, 0.37 grain of acetphenetidin and 1.45 grains of salol per tablet, and for the further reason that said article contained acetanilid and acetphenetidin, a derivative of acetanilid, and the label failed to bear a statement of the quantity or proportion of acetanilid and of acetphenetidin, a derivative of acetanilid, contained therein.

Adulteration of the article labeled "Quinine Sulphate Tablets" was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a product which contained less than 2 grains of quinine sulphate per tablet, and was sold as a product which contained not less than 2 grains of quinine sulphate per tablet.

Misbranding of the article was alleged for the reason that the statement, to wit, "Quinine Sulphate 2 grs. * * * Tablets," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said tablets each contained not less than 2 grains of quinine sulphate, whereas, in truth and in fact, said tablets each did not contain 2 grains of quinine sulphate, but contained a less amount, to wit, approximately 1.36 grain of quinine sulphate.

On December 24, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6683. Adulteration of cottonseed meal. U. S. * * * v. East St. Louis Cotton Oil Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8973. I. S. No. 19950-m.)

On August 29, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the East St. Louis Cotton Oil Co., a corporation, doing business at Caruthersville, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 22, 1916, from the State of Missouri into the State of Michigan, of a quantity of cottonseed meal which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Protein (per cent)----- 35.50

Adulteration of the article was alleged in the information for the reason that it was sold as and for cottonseed meal of the following quality, namely, 38½ to 41 per cent protein; and another substance—to wit, a cottonseed meal containing not over 35.50 per cent of protein—was substituted wholly and in part for the 38½ to 41 per cent cottonseed meal, which the article purported to be.

On April 14, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6684. Misbranding of Kampfmüller's Rheumatic Remedy. U. S. * * *
v. Kampfmüller Rheumatic Remedy Co., a corporation. Plea of
guilty. Fine, \$25. (F. & D. No. 8981. I. S. No. 11994-m.)**

On October 1, 1918, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kampfmüller Rheumatic Remedy Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on or about December 8, 1916, from the State of Kentucky into the State of Tennessee, of a quantity of an article labeled in part, "Kampfmüller's Rheumatic Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, extract from a laxative plant drug, alcohol, and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the cartons and bottles falsely and fraudulently represented it as a remedy for rheumatism, and as a remedy, treatment, and cure for arthritic rheumatism, articular rheumatism, inflammatory rheumatism, muscular rheumatism, and rheumatic fever, when, in truth and in fact, it was not.

On October 16, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6685. Adulteration of tomato catsup. U. S. * * * v. Robert C. Chance and Wilmer Chance (R. C. Chance's Sons). Pleas of guilty. Fine, \$50. (F. & D. No. 8986. I. S. Nos. 2372-p, 1208-p, 8610-p, 2839-p.)

On October 16, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert C. Chance and Wilmer Chance, copartners, trading as R. C. Chance's Sons, Mount Holly, N. J., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 29, 1917, September 20, 1917, September 9, 1917, and September 24, 1917, from the State of New Jersey into the States of Connecticut, Maryland, Pennsylvania, and Michigan, respectively, of quantities of tomato catsup which was adulterated. One of the shipments was unlabeled, and the remaining shipments were labeled in part, "Table Talk Brand * * * Manufactured by R. C. Chance's Sons Phila. Pa. and Mt. Holly, N. J."

Examination of samples of the articles by the Bureau of Chemistry of this department showed the catsup in each shipment to be partially decomposed.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance.

On October 24, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6686. Adulteration of tomato puree. U. S. * * * v. 307 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8988. I. S. No. 1543-p. S. No. E-1023.)

On April 11, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 307 cases of tomato puree at Newark, N. J., alleging that the article had been shipped on or about February 26, 1918, by J. B. Webster & Co., Berlin, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part, "Newport Brand Tomato Puree. * * * Packed by J. B. Webster & Co. * * * Factory, Berlin, Md."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On November 25, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6687. Adulteration of salmon. U. S. * * * v. 400 Cases of Salmon, and U. S. * * * v. 95 Cases of Salmon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 8993, 9026. I. S. Nos. 8782-p, 8789-p. S. Nos. C-875, C-890.)

On April 17 and May 13, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 400 cases of salmon at Sheffield, Ala., and 95 cases of salmon at Florence, Ala., alleging that the article had been shipped on November 12, 1917, by F. C. Barnes Co., Seattle, Wash., and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Fancy Pink Alaska Salmon. * * * F. C. Barnes Co. Portland, Oregon."

Adulteration of the article was alleged in substance in the libels for the reason that it consisted in whole or in part of a decomposed animal substance.

On November 28, 1918, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

Thereafter, when the United States marshal undertook to carry out the provisions of the decree of the court, it was ascertained that the goods had been sold without authority of the court. On April 17, 1919, contempt proceedings were filed against Philip Olim & Co. and Philip Olim, P. H. Kreisman, and S. J. Israel, partners, doing business under the firm name and style of Philip Olim & Co., and the matter having come on to be heard on May 3, 1919, a decree was entered discharging Philip Olim & Co., Philip Olim, and S. J. Israel, and adjudging P. H. Kreisman guilty, and a fine of \$629.20 and one-third of the costs of the proceedings was imposed against said Kreisman.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6688. Adulteration of tomato paste. U. S. * * * v. 750 Cases of Tomato Paste. Consent decree of condemnation, forfeiture, and destruction or sale. (F. & D. Nos. 8998-9004. I. S. No. 1231-p. S. No. E-1030.)

On April 22, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 750 cases, each containing 200 cans of tomato paste, remaining unsold in the original unbroken packages, at New York, N. Y., alleging that the article had been shipped on or about November 28, 1917, by the Italian American Canning Co., San Francisco, Calif., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On December 18, 1918, J. D. Stephanides, proctor for John D. Stephanides and Vasilis A. Touris, as executors of the will of Sotirious A. Touris, deceased, and Albert M. Yuzzolina, proctor for Bellanca & Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that judgment be entered against said claimants for the costs of the proceedings. On March 14, 1919, it was provided by an amended decree of the court that the goods might be disposed of for feeding stock, for fertilizer, or for other similar purpose.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6689. Adulteration of tomato puree. U. S. * * * v. 250 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9006. I. S. No. 1545-p. S. No. E-1032.)

On April 22, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases of tomato puree at Newark, N. J., alleging that the article had been shipped on or about January 8, 1918, by J. B. Webster & Co., Berlin, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Newport Brand Tomato Puree * * * Packed by J. B. Webster & Co. * * * Factory, Berlin, Md."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On November 25, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6690. Adulteration and misbranding of apple butter. U. S. * * * v. 625 Cases * * * of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8997. I. S. No. 8954-p. S. No. C-876.)

On April 20, 1918, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 625 cases, each containing two dozen jars of apple butter, remaining unsold in the original unbroken packages at Salina, Kans., alleging that the article had been shipped on or about October 3, 1917, by Dawson Bros. Mfg. Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Dawson's Brand Pure Apple Butter, Made by Dawson Bros. Mfg. Co., Memphis, Tenn."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed vegetable matter which was packed and mixed therewith so as to injure, lower, and affect its quality, purity, and strength.

Misbranding of the article was alleged for the reason that the brand or label on the article was misleading and deceptive and calculated to induce the purchaser to believe said product to be pure, whereas, in truth and in fact, it was not.

On September 12, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6691. Misbranding of macaroni and spaghetti. U. S. * * * v. 1,664 Cartons of Macaroni and Spaghetti. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9012. I. S. Nos. 4461-p, 4462-p, 4463-p. S. No. E-1031.)

On May 2, 1918, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,664 cartons, each containing 24 packages of macaroni and spaghetti, at Brooklyn, N. Y., alleging that the article had been shipped on or about March 30, 1918, by the Savarese Macaroni Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "A & P Brand Elbow Macaroni," and "A & P Brand Spaghetti."

Misbranding of the article was alleged in the libel for the reason that the statement—to wit, "Net Weight 14½ Ounces"—borne on the labels attached to the packages was false and misleading, in that it represented that the net weight of the product in each of the packages was 14½ ounces, whereas, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it was food in package form, and the contents of each of the packages was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On May 31, 1918, the Great Atlantic & Pacific Tea Co., a corporation, Brooklyn, N. Y., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,328, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6692. Adulteration and misbranding of apple butter. U. S. * * * v. 100 Cases * * * and 80 Cases * * * of Apple Butter. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 9023, 9024. I. S. Nos. 8959, 8960. S. Nos. C-885, C-886.)

On May 9, 1918, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 cases and 80 cases, each containing 2 dozen jars of apple butter, remaining unsold in the original unbroken packages at Leavenworth and Atchison, Kans., respectively, alleging that the article had been shipped on or about October 26, 1917, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Dawson's Brand Pure Apple Butter * * * Made by Dawson Bros. Mfg. Co., Memphis, Tenn."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of decomposed vegetable matter, so packed and mixed with the product as to injure, lower, and affect its quality, purity, and strength.

Misbranding of the article was alleged in substance for the reason that [the brand or label on] the article was misleading and deceptive and calculated to induce the purchaser to believe said product to be pure, whereas, in truth and in fact, it was not.

On September 12, 1918, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6693. Adulteration and misbranding of olive oil. U. S. * * * v. 42 Cases of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9027. I. S. Nos. 4465-p, 4466-p, 4467-p. S. No. E-1038.)

On May 9, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42 cases of alleged olive oil, at Newark, N. J., alleging that the article had been shipped on or about April 29, 1918, by Di Paola Bros., New York, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was variously labeled, "Spadiro Brand Olive Oil," "Vergina Brand Olive Oil," and "Brisco Brand Olive Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been substituted in whole or in part for the article purporting to be pure olive oil.

Misbranding of the article was alleged in substance, for the reason that the statement—to wit, "Pure Olive Oil"—borne on the labels attached to the cans, was false and misleading in that it represented that the article was pure olive oil, whereas, in truth and in fact, it was not, but consisted wholly or in part of cottonseed oil. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article—to wit, olive oil. Misbranding of the article was alleged in substance for the further reason that the statement—to wit, "Pure Olive Oil, made in Italy"—borne on the labels attached to the cans, was false and misleading, in that it represented that the article was a foreign product—to wit, pure olive oil made in Italy—whereas, in truth and in fact, it was not, but consisted wholly or in part of cottonseed oil manufactured and packed in the United States.

On May 28, 1918, the said Di Paola Bros., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment or condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and execution of a bond in the sum of \$3,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6694. Adulteration and misbranding of Lima beans. U. S. * * * v. 500 Cases of Lima Beans. Product ordered released on bond. (F. & D. No. 9029. I. S. No. 8446-p. S. No. C-888.)

On May 17, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 2 dozen cans of Lima beans, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about March 8, 1918, by the Grimes Canning & Preserving Co., Grimes, Iowa, and transported from the State of Iowa into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Summer Girl Brand (device of beans in green pods) Baby Lima Beans."

Adulteration of the article was alleged in substance in the libel for the reason that soaked ripe Lima beans had been substituted for green Lima beans, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement borne on the label—to wit, "Lima Beans," with the device of beans in green pods—was false and misleading, and deceived and misled the purchaser into the belief that the product was green Lima beans, whereas, in truth and in fact, it was not, but consisted of soaked ripe Lima beans.

On May 27, 1918, the H. D. Lee Mercantile Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and filed a stipulation for costs and a bond in conformity with section 10 of the act, which stipulation and bond were approved, it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6695. Adulteration of gelatin. U. S. * * * v. 1 Barrel of Alleged Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9030. I. S. No. C-892.)

On May 13, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel containing 348 pounds of alleged gelatin, remaining unsold in the original unbroken package at St. Louis, Mo., alleging that the article had been shipped on or about April 3, 1918, by the Creamery Dairy Co., San Antonio, Tex., and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance—to wit, glue, containing excessive amounts of copper and zinc—had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for gelatin; and that it contained added poisonous and deleterious ingredients—to wit, copper and zinc—which might render the article injurious to health.

On October 1, 1918, the Consumers Glue Co., a corporation, St. Louis, Mo., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6696. Adulteration of salmon. U. S. * * * v. 62 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9031. I. S. No. 8791-p. S. No. C-891.)

On May 13, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 62 cases, each containing 4 dozen cans of salmon, at Haleyville, Ala., alleging that the article had been shipped on November 12, 1917, by the F. C. Barnes Co., Seattle, Wash., and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Fancy Pink Alaska Salmon Cable Brand."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On April 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6697. Adulteration of tomato pulp. U. S. * * * v. 24½ Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9032. I. S. No. 3024-p. S. No. E-1040.)

On May 13, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24½ cases, each containing 48 cans of tomato pulp, remaining in the original unbroken packages at Philadelphia, Pa., consigned by S. M. Robinson & Co., Baltimore, Md., alleging that the article had been shipped on or about April 26, 1918, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Big T Brand Tomato Pulp * * *. Packed by S. M. Robinson & Co., Baltimore Md."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On July 12, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6698. Adulteration of salmon. U. S. * * * v. 63 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9033. I. S. No. 8792-p. S. No. C-893.)

On May 14, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 63 cases of salmon at Jasper, Ala., alleging that the article had been shipped on November 12, 1917, by the F. C. Barnes Co., Seattle, Wash., and transported from the State of Washington into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Fancy Pink Alaska Salmon Cable Brand."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On April 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6699. Misbranding of Lima beans. U. S. * * * v. 235 Cases * * * of Lima Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9034. I. S. No. S955-p. S. No. C-889.)

On May 15, 1918, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 235 cases, each containing 2 dozen cans of Lima beans, remaining unsold in the original unbroken packages at Salina, Kans., alleging that the article had been shipped on or about January 14, 1918, by the H. D. Lee Mercantile Co., Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Summer Girl Brand (device of beans in green pods) Lima Beans."

Misbranding of the article was alleged in substance in the libel for the reason that the brand or label on the cases and cans did not truthfully state the correct nature of the contents and product contained in said cases and cans, and that said labels were misleading and false.

On June 10, 1918, the said H. D. Lee Mercantile Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be relabeled so as to show the true nature and character of the contents thereof.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6700. Adulteration and misbranding of catsup. U. S. * * * v. 95 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9035. I. S. No. 16548-p. S. No. W-224.)

On or about May 15, 1918, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 95 cases of catsup, consigned by the Twin Peaks Canning Co., Murray, Utah, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about February 25, 1918, and transported from the State of Utah into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part, "Twin Peaks Brand Catsup," or "Majestic Brand Catsup," and "Packed by Twin Peaks Canning Co., Murray, Utah."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the statement—to wit, "Contents 6 lbs. and 12 oz."—was false and misleading, and deceived and misled the purchaser as to the weight of the contents of the cans, in that said contents did not weigh 6 pounds and 12 ounces, but in fact weighed considerably less than 6 pounds and 12 ounces. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in [terms of] weight, measure, or numerical count.

On July 8, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



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